

1 Introduced by the Land Use and Zoning Committee:  
2  
3

4 **RESOLUTION 2021-374**

5 A RESOLUTION CONCERNING THE APPEAL FILED BY  
6 RABBI JOSEPH KAHANOV, WIDAD ZACHARIA, HOLLY  
7 (SARAH) HERMAN, GLORIA EINSTEIN, AUTUMN WYNN AND  
8 STEFAN WYNN, OF THE FINAL ORDER ISSUED BY THE  
9 PLANNING COMMISSION APPROVING APPLICATION FOR  
10 ZONING EXCEPTION E-21-16, WITH CONDITIONS  
11 (ALLOWING THE RETAIL SALES AND SERVICE OF ALL  
12 ALCOHOLIC BEVERAGES IN CONJUNCTION WITH THE  
13 SERVICE OF FOOD WITH OUTSIDE SEATING) AND THE  
14 COMPANION FINAL ORDER ISSUED BY THE PLANNING  
15 COMMISSION APPROVING APPLICATION FOR WAIVER OF  
16 MINIMUM DISTANCE REQUIREMENTS FOR LIQUOR LICENSE  
17 LOCATION WLD-21-04 (REDUCING THE REQUIRED  
18 MINIMUM DISTANCE FROM A HOUSE OF WORSHIP OR  
19 SCHOOL FROM 500 FEET TO 110 FEET) GRANTED TO  
20 TIME OUT SPORTS GRILL MANDARIN, LLC, ON PROPERTY  
21 LOCATED AT 10140 SAN JOSE BOULEVARD, PURSUANT TO  
22 SECTION 656.141, ORDINANCE CODE; ADOPTING  
23 RECOMMENDED FINDINGS AND CONCLUSIONS OF THE LAND  
24 USE AND ZONING COMMITTEE; PROVIDING AN EFFECTIVE  
25 DATE.  
26

27 **WHEREAS,** Time Out Sports Grill Mandarin, LLC, applied to the  
28 Planning Commission for a Zoning Exception to permit the retail sales  
29 and service of all alcoholic beverages in conjunction with the service  
30 of food with outside seating (E-21-16), and for a companion Waiver  
31 of Minimum Distance requirements for a liquor license location to

1 reduce the required minimum distance from a house of worship or school  
2 from 500 feet to 110 feet (WLD-21-04), on property located at 10140  
3 San Jose Boulevard, in the Commercial Community/General-1 (CCG-1)  
4 Zoning District; and

5 **WHEREAS**, the Planning Commission approved Application E-21-16  
6 by Final Order dated May 6, 2021; and

7 **WHEREAS**, the Planning Commission approved Application WLD-21-04  
8 by Final Order dated May 6, 2021; and

9 **WHEREAS**, pursuant to Section 656.141, *Ordinance Code*, the above  
10 listed appellants filed a notice of appeal; and

11 **WHEREAS**, such appeal was timely filed, and the appellants have  
12 standing to appeal; now, therefore

13 **BE IT RESOLVED** by the Council of the City of Jacksonville:

14 **Section 1. Adoption of recommended findings and**  
15 **conclusions.** The Council has reviewed the record of proceedings,  
16 **On File** in the City Council Legislative Services Division and the  
17 Planning and Development Department, and has considered the  
18 recommended findings and conclusions of the Land Use and Zoning  
19 Committee. The recommended findings and conclusions of the Land Use  
20 and Zoning Committee are hereby adopted. This Resolution is the  
21 final action of the Council.

22 **Section 2. Effective Date.** The adoption of this  
23 Resolution shall be deemed to constitute a quasi-judicial action of  
24 the City Council and shall become effective upon signature by the  
25 Council President and Council Secretary.

1 Form Approved:

2

3 /s/ Shannon K. Eller

4 Office of General Counsel

5 Legislation Prepared by: Shannon K. Eller

6 GC-#1438701-v1-2021-374\_Original\_Bill

**NOTICE OF APPEAL FROM A  
FINAL ORDER OF THE  
JACKSONVILLE PLANNING COMMISSION**

**2021 MAY 26 PM 2:02**

**I. INSTRUCTIONS**

As provided in §656.140, Ordinance Code, any person with standing may appeal a Jacksonville Planning Commission final order with respect to an application for zoning exception, variance, or waiver to the City Council. An appeal must be filed **within 21 calendar days** after the order granting, granting with conditions, or denying an application is signed by the Commission Chairman. To appeal a Commission final order, complete and submit this form to the Legislative Services Division, Suite 430, City Hall-St. James, 117 W. Duval Street, Jacksonville, Florida 32202 with the supporting documents (*see* Section III) and appropriate fees (*see* Section IV). A copy of the order and the list of persons who testified before or wrote to the Commission about the application (*see* Sec. III (1) and (4)) may be obtained from the Secretary to the Planning Commission at the Planning and Development Department, 3<sup>rd</sup> Floor, Edward Ball Building, 2814 North Hogan Street, Suite 300, Jacksonville, Florida 32202. For questions regarding the Appeal process, please contact the Secretary to the Planning Commission at (904) 255-7800.

**II. NOTICE OF APPEAL**

I, SEE ATTACHED LIST OF APPELANTS, hereby file this Notice of Appeal from the final order of  
PRINT NAME CLEARLY  
the City of Jacksonville Planning Commission concerning Exception/Variance/Waiver Number WLD-21-04/E-21-16

I am (Please circle one):

- (a) The person who filed the application for the zoning exception, variance, or waiver;
- (b) A person who owns, lives, or operates a business on property within 350 feet of the property which has been granted or denied a zoning exception, variance, or waiver;
- (c) A person, other than a member of the City Council, who provided a qualifying written statement or who testified before the Planning Commission. The statement must have been in writing, expressing a position on the merits of the application for zoning exception, variance, or waiver, other than a petition, such as a letter, a memo or an e-mail, containing a reference to the specific application number and the name and mailing address of the person making the statement. The statement must have been specifically addressed to the City's Chief, Current Planning Division, or any member of the Planning Commission (with a copy to the Chief, Comprehensive Planning Division), and which was delivered to and received by the City's Planning and Development Department by hand delivery, mail, facsimile, or e-mail at least two working days before the public hearing at which the Commission took final action on the application, or which is read into the record at the public hearing, or distributed to the Commission at the hearing with a copy to the Commission's staff.

**III. SUPPORTING DOCUMENTS**

To complete your Notice of Appeal, you **must** submit the following documents with this form:

- (1) A copy of the Final Order you are appealing.
- (2) If you circled II(c) above, you must provide a statement of your interest sufficient to show how you are or will be *adversely* affected by the Commission's decision. Please provide this statement in the space below:

PLEASE SEE ATTACHED NARRATIVE.

If you need additional space, please attach a separate sheet.

2021-374  
ON FILE  
Page 2 of 327



(3) A description of the specific error(s) you believe the Commission committed. Please provide this description in the space below:

PLEASE SEE ATTACHED NARRATIVE

If you need additional space, please attach a separate sheet.

(4) The list of the persons (names and complete addresses), certified by the Secretary of the Planning Commission, who testified before the Commission about the application, or who provided a qualifying written statement to the Commission about the application. (You must pay a \$7.00 notification fee for each person on the list.)

(5) A list of the persons (names and complete addresses), certified by the Secretary of the Planning Commission, who own real property within three hundred and fifty feet of the boundaries of the land which is the subject of the appeal, and if the appeal concerns an application for a waiver of the minimum distance requirements from a church or school for a liquor license, the list shall include all churches and schools within one thousand five hundred feet identified pursuant to Section 656.804. (You must pay a \$7.00 notification fee for each person on the list.)

#### IV. FILING AND NOTIFICATION FEES

Section 656.147, Ordinance Code, requires persons appealing Final Orders to pay filing and notification fees. These fees must be paid at the time you file your Notice of Appeal with the Legislative Services Division or your Appeal will not be accepted. You may include the filing and notification fees in one payment. Make checks payable to TAX COLLECTOR.

Filing Fee: \$1,161.00

Notification Fee: \$7.00 for each notification.

#### V. Contact Information

ATTORNEY RALF BROOKES

Name (Printed):

Address:

1217 E Cape Coral Parkway 107

Cape Coral Florida 33904

(239) 910-5464

Daytime Phone:

(239) 910-5464

Evening Phone:

E-mail address:

RalfBrookes@gmail.com ; Ralf@RalfBrookesAttorney.com

#### VI. CERTIFICATION (Please read, sign and date the following statement)

I have read and understand the information contained in this Notice of Appeal. I hereby certify that I have provided all the information required under §656.141, Ordinance Code, and I understand that if this Notice of Appeal is incomplete, my appeal will not be processed until it is complete, and that it may be rejected for incompleteness. I further certify that all my statements in this Notice of Appeal are true and correct to the best of my knowledge.

/s/ Ralf Brookes Attorney, Fla Bar # 778362

5/26/2021

Signature

Date

<END OF FORM>

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Notification Fee: \$7.00 for each notification.

#### V. Contact Information

Name (Printed): Joseph Kahanov  
Address: 2967 Braemar Dr  
Jacksonville, FL 32257  
Daytime Phone: 904 302 6857  
Evening Phone: 904 302 6857  
E-mail address: rabbi@chabad-jacksonville.org

#### VI. CERTIFICATION (Please read, sign and date the following statement)

I have read and understand the information contained in this Notice of Appeal. I hereby certify that I have provided all the information required under §656.141, Ordinance Code, and I understand that if this Notice of Appeal is incomplete, my appeal will not be processed until it is complete, and that it may be rejected for incompleteness. I further certify that all my statements in this Notice of Appeal are true and correct to the best of my knowledge.

Signature: Joseph Kahanov

Date: 5/26/21

<END OF FORM>

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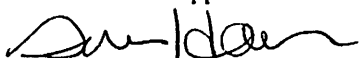
Filing Fee: \$1,161.00  
Notification Fee: \$7.00 for each notification.

#### V. Contact Information

Name (Printed): Holly (Sarah) Herman  
Address: 10140 Haley Rd.  
Jacksonville, FL 32257  
Daytime Phone: 248-761-1010  
Evening Phone: 248-761-1010  
E-mail address: sarahyherman@gmail.com

#### VI. CERTIFICATION (Please read, sign and date the following statement)

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5/26/2021  
Date

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#### V. Contact Information

Name (Printed): Widad Zacharia  
Address: 2987 Starshire Cove  
Sax. Fl. 32257  
Daytime Phone: (904) 568-4105  
Evening Phone: 11  
E-mail address: Widad50@gmail.com

#### VI. CERTIFICATION (Please read, sign and date the following statement)

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[Signature]  
Signature

5-26-21  
Date

<END OF FORM>

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Notification Fee: \$7.00 for each notification.

#### V. Contact Information

Name (Printed): Stefen Wynn  
Address: 3057 Haley Ln.  
Jacksonville, FL. 32257  
Daytime Phone: (574) 514-3294  
Evening Phone: (574) 514-3294  
E-mail address: sabwynn@gmail.com

#### VI. CERTIFICATION (Please read, sign and date the following statement)

I have read and understand the information contained in this Notice of Appeal. I hereby certify that I have provided all the information required under §656.141, Ordinance Code, and I understand that if this Notice of Appeal is incomplete, my appeal will not be processed until it is complete, and that it may be rejected for incompleteness. I further certify that all my statements in this Notice of Appeal are true and correct to the best of my knowledge.

Signature

Date

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See attached

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Filing Fee: \$1,161.00  
Notification Fee: \$7.00 for each notification.

#### V. Contact Information

Name (Printed): Gloria Einstein  
Address: 2937 Braemer Drive  
Jacksonville FL 32257  
Daytime Phone: 904-386-3636  
Evening Phone: 904-386-3636  
E-mail address: gloriaeinstein@gmail.com

#### VI. CERTIFICATION (Please read, sign and date the following statement)

I have read and understand the information contained in this Notice of Appeal. I hereby certify that I have provided all the information required under §656.141, Ordinance Code, and I understand that if this Notice of Appeal is incomplete, my appeal will not be processed until it is complete, and that it may be rejected for incompleteness. I further certify that all my statements in this Notice of Appeal are true and correct to the best of my knowledge.

Signature

Date

5/26/21

<END OF FORM>

**APPEAL**

**of Planning Commission Decision Granting Approval of:**

**WLD-21-04 Reduction of Required Distance Between Full Liquor License  
Sports/Happy Hour Bar and pre-existing Churches and Schools**

**&**

**E-21-16 Restaurant with Sales and Service of Alcohol Beverages with Outside Service**

---

**I. See Contact and other Information on signed Appeal Form:**

All Appellants represented by legal counsel:  
Ralf Brookes Attorney  
[Ralf@RalfBrookesAttorney.com](mailto:Ralf@RalfBrookesAttorney.com)  
(239) 910-5464;  
1217 E Cape Coral Parkway #107  
Cape Coral Florida 33904

**II. *I, hereby file this Notice of Appeal from the final order of the City of Jacksonville Planning Commission concerning Exception/Variance/Waiver Numbers WLD-21-04 & E-21-16:***

**(b) Rabbi Joseph Kahanov; 10129 Haley Rd., Jacksonville, FL 32259; 2967 Braemer Dr. Jacksonville, FL 32257 *within 350 feet written notice area***

**(b) Widad Zacharia; 2987 Starshire Cove, Jacksonville, FL 32257 *within 350 feet written notice area***

**(b) Holly ("Sarah") Herman; 10146 Haley Rd., Jacksonville, FL 32257 *within 350 feet written notice area***

**(c) Gloria Einstein; 2937 Braemer Dr. Jacksonville, FL 32257 *adversely affected proximate party status***

**(c) Stefan & Autumn Wynn; 3057 Haley Rd., Jacksonville, FL 32257 *adversely affected proximate party status***

### III. SUPPORTING DOCUMENTS

**(2): If you circled II(c) above, you must provide a *statement of your interest sufficient to show how you are or will be adversely affected by the Commission's decision.* Please provide that statement in the space below:**

**Mrs. Zacharia, Mrs. Sarah Herman and Rabbi Kahanov**, are all within the 350 feet written notice radius of the proposed sports full liquor bar and qualify under subsection (b) and (c) as set forth below. **Stefen and Autumn Wynn and Gloria Einstein** live very close to the proposed sports full liquor bar and qualify under subsection (c) as set forth below.

Rabbi Joseph Kahanov also leads the synagogue and school directly adjacent to the property shown in Aerial View Staff Report, p. 4 within 350 feet subsection (b):

WLD-21-04  
Page 4



Aerial View

From Staff Report, page 4.



§656.101 defines words used in the Code:

***(b) Adversely affected person*** means “any person who is suffering or will suffer an adverse effect to an interest protected or furthered by the Comprehensive Plan or the Zoning Code. The alleged adverse effect may be shared in common with other members of the community at large, but must exceed in degree the general interest in community good shared by all persons.”

Due to their proximity, appellants will be adversely affected by:

- the noise of an outdoor full liquor bar,
- traffic egressing onto Haley Rd.,
- overflow parking in the neighboring
- potential overflow parking into the synagogue/school's parking lot and on the residential streets,
- full liquor bar patrons making cut-throughs on the residential neighborhood streets on which children play and ride bicycles as full liquor bar patrons attempt to find a main thoroughfare,
- increased number of drivers leaving full liquor bar after consuming alcohol in this pedestrian neighborhood, and
- a decrease in property values.
- The full liquor bar would not only be operating on the San Jose corridor, but also would be using Haley Rd., which is a residential street.
- The introduction of a sports full liquor bar and its patrons will change the quiet and very safe character of our residential neighborhood.

Rabbi Joseph Kahanov submitted written objections in opposition to the proposed sports full liquor bar, and his written objections were read aloud for him at the hearing on May 6, 2021:

- Rabbi Joseph Kahanov objects and would be adversely affected because the sports full liquor bar does NOT meet the standards necessary to be an adjacent neighbor to a synagogue and school.
- Many children walk to attend the school that is directly adjacent to the full service sports and happy hours liquor bar along Haley Road.
- Many adults and elderly walk to the synagogue and also walk to the school along Haley Road.

Widad Zacharia lives directly across the street from the proposed full liquor bar. Widad Zacharia objects and would be adversely affected because of:

- external full liquor bar impacts on what is currently a safe and quiet neighborhood.

- Mr. Zacharia is ill and Mrs. Zacharia is a caregiver both will be affected inside and outside their home.
- Their young grandchildren stay with them frequently.
- The potential hazards of having a full liquor bar directly adjacent to their home, coupled with the increase in noise and traffic to the neighborhood, would make their home uninhabitable for them.

Holly "Sarah" Herman lives very near the proposed full liquor bar and objected in person at both hearings. Sarah Herman objects and would be adversely affected by impacts to herself and her children who are among the pedestrians walking in the neighborhood that would now be exposed to bar patrons leaving the sports bar on Haley Road and entering the neighborhood. A full service liquor sports bar will introduce drivers who have consumed alcohol (both below and perhaps in some cases above legal limits) adversely affecting:

- The safety of walking past the full liquor sports bar traffic
- The adverse impacts to pedestrian traffic that walks past the location on Haley Rd.
- there a large number of religiously-observant families that walk past the driveway of the proposed full liquor bar on Haley Rd.,
- many children, including her own, use the sidewalk to walk home from school,
- It is the only sidewalk on the entirety of Haley Rd.
- The south side of the road lacks a sidewalk, making avoidance of any traffic by patrons leaving the full liquor bar after consuming alcohol impossible.
- Two of the commissioners expressed personal knowledge that the neighborhood has a noteworthy amount of pedestrian traffic that is far more considerable than other residential neighborhoods.
- The expert advice of the realtor who facilitated the purchase of her home, advises that a sports full liquor bar in the neighborhood would likely cause a continuing drop in the price of her home and would cause devaluation of her home and other surrounding homes by as much as \$100,000.
- She was advised to sell her family's home immediately as prices would continue to decline when the sports full liquor bar opens should the city decide to ignore the current zoning laws and move forward with these waivers.

Stefen Wynn submitted oral and written testimony before the Planning Commission during the hearing on 4/22/2021 and his objections are attached hereto as **Attachment A**. Stefen Wynn resides in the neighborhood outside 350 feet but is a pedestrian in this neighborhood who objects and is adversely affected because:

- Approval of this application will unduly impact the safety and welfare of the surrounding residential, school and church community in which he lives.
- The intersection at San Jose and Haley Road is already dangerous but the introduction of bar patrons leaving the full liquor sports bar after watching sporting events will increase traffic safety danger at the intersection and in the neighborhood
- The approval will increase the risk and number of pedestrian accidents in this neighborhood.
- Allowing for a sports bar to go into this location next to a church and adjacent to a residential neighborhood access will undoubtedly exacerbate the already dangerous intersection.
- Based off the applicant's existing operations, since that's the only basis that I have to gauge the impact that a sports bar would have on our neighborhood, especially the "Number 1 Sports Bar in Jacksonville" offering "904 Happy Hours" among the "top 20 Happy Hours in Jax" will create an increase in traffic not only to the intersection, but also within the residential neighborhood behind the property in question.

Gloria Einstein appeared, objected and provided oral testimony at both Planning Commission hearings lives in the surrounding neighborhood of residences, schools, and churches but outside the 350-foot limit. Ms. Einstein objects and would be adversely affected by:

- The noise and the danger to personal safety from the sports full liquor bar patrons driving and parking on her street.
- The Haley Rd. entrance to the property's parking lot leads directly into her neighborhood,
- This formerly quiet, safe street will take on a completely different character with full liquor bar patrons seeking parking or leaving the sports bar after sporting events or happy hours will seek a cut-through to San Jose or Scott Mill.

**(3): A description of the specific error(s) you believe the Commission committed. Please provide this description in the space below:**

On 4/22/2021, City of Jacksonville (JACKSONVILLE CODE) Planning Commission (PC) held a quasi-judicial hearing on **WLD-21-04** and its companion **E-21-16**.

The decision was later deferred to 5/6/2021; at which time the Planning Commission approved the Waiver from the minimum distance separation from churches and schools and the Exception to allow a full service liquor sports/happy hour bar adjacent to a school and church with access to Haley Road, a residential neighborhood street.

The hearings brought many residents to the meeting to oppose the waiver and exception, and many residents provided fact-based observation testimony and other competent, substantial evidence as to the distance to schools, churches, pedestrians in the neighborhood and other facts that were mistakenly, and improperly disregarded by the Planning Commission.

The application does not meet the clear and express requirements of the Code as set forth below:

**BASIS FOR APPEAL: FAILURE TO MEET 5 STANDARDS & CRITERIA FOR DISTANCE WAIVER:**

§656.133 of the JACKSONVILLE CODE Zoning Code provides that a waiver of minimum distance requirements for 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 following criteria:

- 1.) **"The commercial activity associated with the alcoholic beverage use is 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 the type of license"**

This criteria was not met. The prior activity did not have a full liquor license.

The zoning code is particular to the actual use of the previous property. The previous property was a restaurant called *The Village Inn* and did not serve full service hard liquor and was not a 4 COP sports/happy hour bar.

The current applicant, has an already established business: *Time Out Sports Grill Jacksonville*, at: *13799 Beach Blvd. Unit #5*. That location has already received a 4COP liquor License. The applicant's existing operation is the "Number 1 Sports

Bar in Jacksonville" offering "904 Happy Hours" among the "top 20 Happy Hours in Jax."

Therefore, the application does not meet that criteria due to the previous tenant of the building being a restaurant that does not serve full service 4COP alcohol and did not have a liquor license.

Other liquor establishments along San Jose Boulevard do not directly access a residential road through the property with the liquor license.

The subject Time Out Sports bar application would be located at the entrance to a residential neighborhood.

**Therefore, this criterion is not met, making it (1) of (5) not meeting the criteria for a waiver.**

**2.) "The alcoholic beverage use is designed to be an integral part of a mixed planned unit development"**

This criteria was not met. It is not in a PUD.

The Staff Report admits:

*No. The property is:*

- *zoned Commercial Community/General-1 (CCG-1) [not PUD]*
- *a 5,085 square foot single-story commercial structure*
- *a 0.91 +/- parcel property.*

This not part of a mixed planned unit development.

**Therefore, this criterion is not met, making it (2) of (5) not meeting the criteria for a waiver.**

**3.) "The alcoholic beverage use is located within a shopping center with an aggregate gross leasable area of 50,000 square feet for more, inclusive of all outparcels and meets the definition of a, "bona fide restaurant," as defined in § 656.805 (c)"**

This criteria was not met. It is not in a shopping center.

The Staff Report admits:

*No. The proposed use is located on a stand-alone parcel and is the only use within the structure.*

The use is not located within a shopping center, like other uses along San Jose Boulevard, instead contrary to Code requirement the proposed use is located on a stand-alone parcel and the only use within the structure.

**Therefore, this criterion is not met, making it (3) of (5) not meeting the criteria for a waiver.**

**4.) "The alcoholic beverage use is not directly visible along the line of measurement defined in § 656.806 and is physically separated from the church or school, thereby negating the distance requirement.."**

This criteria was not met. It is directly visible from the church or school.

The Staff Report admits the following facts:

*The proposed establishment is **directly visible** along the line of measurement defined in § 656.806.*

*The properties are adjacent to one another and are separated by a (4) foot concrete wall along the adjoining property line.*

The proposed establishment *is directly visible* along the line of measurement as defined in §656.806 therefore it does not meet the first prong of criteria (4).

Because the criteria include the word, "and" it is a dual criteria or two-prong standard.

Therefore, even though the properties are, "physically separated," under the second prong, it fails to meet the first prong which requires that "**The alcoholic beverage use is not directly visible along the line of measurement defined in § 656.806**"

The intent of the code included the word, "and" is that physical separation is not the only provision of the criteria to be considered but instead both provisions, i.e., it must be (1) not directly visible and then it must also have (2) physical separation

are to be considered together in order for this criterion to apply.

**Therefore, this criterion is not met, making it (4) of (5) not meeting the criteria for a waiver.**

5.) **"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."**

This criteria was not met and the criteria prohibits the approval of this waiver. It is **closer** to the church or school than other existing locations.

**The Staff Report inappropriately gave the following response:**

*There are several existing liquor license locations within the immediate vicinity and along the San Jose corridor.*

*Application WLD-19-17 was approved for the Blue Bamboo Restaurant, serving all alcohol in conjunction with a restaurant, located just north of the subject property at 10110 San Jose Boulevard... to reduce the required distance from 500 feet to **115 [feet]** for the same church [and school] Chabad Lubavitch of NE FLA at 10129 Haley Road.*

**This subject request, WLD-21-04, is a waiver seeking, "to reduce the required minimum distance between the proposed Time Out Sports Grill Mandarin restaurant located at 10140 San Jose Boulevard and the Chabad Lubavitch of NE FLA at 10129 Haley Road from 500 feet to 110 feet."**

**See, Staff Report, General Information section (page one of the staff report for WLD-21-04)**

**The requested 110 feet (Time Out Sports Bar) is closer than the existing 115 feet (Blue Bamboo Restaurant).**

**Blue Bamboo Restaurant WLD-19-17 was for a property 115 feet away from the Chabad Lubavitch as measured by §656.806 of the Code of Ordinances for the JACKSONVILLE CODE.**

**The distance of WLD-19-17 is greater than the distance sought by WLD-21-04, requesting a waiver from the distance requirement for 110 feet.**

Under the second prong or requirement of criteria (5) the establishments must also be similar. The *Blue Bamboo Restaurant* not similar to the Time Out Sports Bar.

The *Blue Bamboo Restaurant* is a fine dining Cantonese restaurant with three private dining rooms on the perimeter of the main dining room all offering fine dining in a restaurant operated by a graduate of the prestigious Culinary Institute of America.

The current applicant, has an already established location for the business at: *Time Out Sports Grill Jacksonville*, at: *13799 Beach Blvd. Unit #5*. That location has already received a 4COP liquor License. The applicant's existing operation is the "Number 1 Sports Bar in Jacksonville" offering "904 Happy Hours" among the "top 20 Happy Hours in Jax" and host commercial sports viewing for hours long viewing of NBA, NFL, MLB events (i.e., "NFL Ticket") while patrons consume full service liquor for hours during each event and for consecutive events on Saturday and Sunday ~even closer to a church and school than the Blue Bamboo.

**Therefore, this criterion is not met, making it (5) of (5) not meeting the criteria for a waiver.**



**BASIS FOR APPEAL: CODE §656.131 (c) requires CONSISTENCY WITH COMP PLAN:**

§656.131 (c) of the JACKSONVILLE CODE Zoning Code allows for an exception for a Waiver of Liquor only if several criteria are met. The applicant claimed the following standards and criteria were met:

- 1.) "The proposed use will be consistent with the Comprehensive Plan according to the Future Land Use Element (FLUE) Objectives, Policies, and Goals"**

**Goal 3: "To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas."**

A 4COP liquor license is a full liquor license for: beer, wine, spirits and hard liquor; it requires a restaurant with at least 2,500 square feet and space to serve 150 people at a time, for on-premise consumption only.

The current applicant, has an already established business: *Time Out Sports Grill Jacksonville*, at: *13799 Beach Blvd. Unit #5*. That location has already received a 4COP liquor License. The applicant's existing operation is the "Number 1 Sports Bar in Jacksonville" offering "904 Happy Hours" among the "top 20 Happy Hours in Jax".

Locating a similar establishment in this location will create an increase in traffic not only to the intersection, but also within the residential neighborhood behind the property in question.

The property in the application for the waiver is currently zoned CCG-1, designated for:

CCG-1: "Commercial retail sales and service establishments including auto sales; Restaurants; Hotel and motel; Office, Business and Professional Office including veterinary office; Financial institutions; Multi-family dwellings; Live/Work Units; Commercial recreational and entertainment facilities; Off street parking lots and garages; Filling stations; and Uses associated with and developed as an integral component of T O D" according to the JACKSONVILLE CODE Comprehensive Plan Land Use Descriptions.

The property also directly abuts a place of worship and school, as well as a residential neighborhood

**Therefore, §656.131 (c) and FLUE Goal 3 are not met.**

**Objective 2.5 (ii): “Will the proposed by compatible with the existing uses or zoning and general character of the area, and similar uses or zoning?”**

The surrounding properties and adjacent property include a school and place of worship.

The Haley Rd. Neighborhood has stated that the proposed full liquor sports/happy hour bar would not be in the general character of the area.

The appellants and many witnesses have testified to this and this testimony can be considered competent, substantial evidence. Supra.

**Therefore, §656.131 (c) and FLUE Objective 2.5 (ii) are not met.**

**Objective 2.5 (iii): “Will the proposed use have an environmental impact inconsistent with the health, safety, and welfare of community?”**

Noise levels are an environmental factor.

The previous restaurant operated within the current zoning of CCG1, and did not serve alcohol. They did not have outdoor full liquor service with outdoor televised sporting events like the NFL ticket on Sundays.

The current Time Out Sports Grill location at Beach Blvd has live music on their outdoor patio starting at 10:00pm, has outdoor service with televised sporting events, and is open until 2:00am.

This will increase the level of noise from this business which is different from surrounding uses in the area and will affect the peaceful enjoyment of the environment and adversely affect the welfare of community.

**Objective 2.5 (iv): “Will the proposed have a detrimental effect on the vehicular or pedestrian traffic, or parking conditions, and will not result in the creation or generation of traffic inconsistent with the health, safety, and welfare of the community?”**

The applicant has stated that he plans to have 71 parking spaces.

The occupancy of the establishment will be 141 persons.

If the proposed full liquor bar is staffed and at capacity, there will not be ample parking even with 71 spaces.

Traffic and parking will overflow into the adjacent place of worship and school and residential neighborhood.

The applicant stated they also want to have basketball tournaments, which will require blocking off basketball court-sized portions of his parking lot.

His patrons will not be able to park on the site of his business during these tournaments, which means there will be traffic and parking overflowing into the adjacent place of worship and school and neighborhood.

This would be a detriment to the school children and the people praying at the Chabad of NE Florida.

The otherwise quiet neighborhood would be disrupted by people looking for parking, and leaving after drinking at the full liquor bar.

Considering the heavy pedestrian traffic in the neighborhood, this is of particular concern.

Therefore, §656.131 (c) and FLUE Objective 2.5 (iv) are not met.

**Objective 2.5 (vi): "Will the proposed use result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust, or physical activities, taking into account existing uses or zoning in the vicinity?"**

The applicant explained in subsequent meetings with Neighborhood representatives that the proposed full liquor bar would remain open until 2:00am, and the 9:00pm closing time was only in reference to the outdoor seating area.

He later disclosed that the outdoor seating area would close at 11:00pm, and that he would be able to apply for a variance for other closing times for the outdoor full liquor bar.

Therefore, §656.131 (c) and FLUE Objective 2.5 (vi) are not met.

**Objective 2.5 (ix): "Will the proposed use be consistent with the definition of a zoning exception, and will meet the standards and criteria of the zoning classification in which such use is proposed to be located, and all other requirements for such use set forth elsewhere in the Zoning Code, or otherwise adopted by the Planning Commission?"**

§656.101 defines words used in the Code:

***"Waiver means a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805 herein, and for minimum street frontage, pursuant to Section 656.407. Waivers are authorized to be granted by the Commission pursuant to the criteria set forth in Section 656.133. "***

The requirements for the distance waiver were not met as explained herein. **Therefore, §656.131 (c) and FLUE Objective 2.5 (ix) are not met.**

**BASIS FOR APPEAL: PROCEDURAL DUE PROCESS:**

All appellants were adversely affected by the following specific procedural and substantive legal errors by the Planning Commission:

**WAIVER CRITERIA NOT MET:** The applicant clearly did not as a matter of law meet the standards and criteria for approval of the waiver of the distance requirements from schools and churches as set forth in detail in section III below.

**LAYPERSON TESTIMONY AS COMPETENT, SUBSTANTIAL EVIDENCE:** The Planning Commission ignored the overwhelming competent, substantial evidence of impacts on the neighborhood churches, schools and residences and pedestrians, as expressed by multiple witnesses and petitions entered into the record that were signed by more than 100 neighbors in the Haley Road Neighborhood. Layperson testimony that is fact based observation is competent, substantial evidence legally supporting denial.

Under the correct legal standard, even lay testimony is perfectly permissible and constitutes substantial competent evidence, so long as it is fact-based. Mere generalized statements of opposition are to be disregarded, but fact-based testimony may be relied upon as competent substantial evidence. Metropolitan Dade County v. Blumenthal 675 S.2d 598 (Fla. Dist. App. 3d 1996). In *Blumenthal*, the lay testimony went to the incompatibility of the proposed development with the surrounding uses, was found to be sufficient, based on essentially undisputed facts in the record about the adjacent existing development and existing zoning around the subject site. The documentary information included a diagram of existing development and zoning introduced by the lay witness without objection from the applicant and a county planning map of the general area. Later cases apply the *Blumenthal* principle to citizen testimony and other evidence in different settings, further explaining the standard including: Miami-Dade County v. Walberg, 739 So. 2d 115 (Fla. App., 1999) at 116, 117 (finding neighbors' testimony and site map to constitute substantial competent evidence upon which to uphold the denial of the zoning application); Metro. Dade County v. Sec. 11 Prop. Corp., 719 S.2d 1204, 1205 (Fla. Dist. App. 3d 1998), *rev. denied*, 735 S.2d 1287 (Fla. 1999) (upholding the county commission's denial of a special exception for a mini self-storage facility, based on lay testimony on incompatibility, plus documentary evidence of record, including a proposed site plan, elevation drawings, and an aerial photograph introduced by the applicant); Metro. Dade County v.

**Sportacres Dev. Group, Inc., 698 S.2d 281, 282 (Fla. Dist. App. 3d 1997)**  
(approving the county commission's denial of a zoning application based in part on lay testimony that the proposed development would be incompatible with the existing adjacent community, bolstered by maps and other zoning records).

The Commission ignored evidence presented by the opposition witnesses that the applicant had misrepresented the views of Rabbi Yaakov Fisch, having said that the Rabbi was "thrilled" with Mr. Harris's offers of a crossing guard. Quite the opposite, Rabbi Fisch disagrees, and corrected that statement on the record with an email to the Planning Commission that was also read into the record during the April 22, 2021 hearing.

The Planning staff and Commission accepted the applicant's statement that the "restaurant" would close at 9:00pm on weeknights, when Mr. Harris admitted in meetings with neighborhood representatives that he was referring only to the outdoor patio. He later amended the outdoor hours to 11:00pm, again conflicting with the application he filed.

The Planning Commission ignored the testimony of Howard Wolpoff that the applicant did not negotiate in good faith with neighborhood representatives during the two-week deferral. The neighborhood's primary objective in negotiation was to agree to close the Haley Rd. access to the parking lot with a solid, high, opaque wall; which would have partially addressed the traffic, personal safety, and parking concerns along Haley Road. The applicant was entirely unresponsive to the proposal, and instead offered minimal concessions regarding outdoor dining. The minutes will reflect that the Planning Commission repeatedly praised the applicant for "bending over backwards" to meet the concerns of the neighborhood, when in the fact there was testimony before them that he had not done so and in fact had rejected the reasonable requests from the neighborhood as to closing access to Haley Road.

The Planning Commission reversed concessions the applicant had made with regard to the outdoor full liquor bar and liquor service and dining, overriding these voluntary concessions by the applicant and restoring the outdoor full liquor bar and liquor service and dining. Mr. Harris had been willing to forgo on completely on April 22, yet the Planning Commission reversed the limits Mr. Harris agreed to on the outdoor service on May 6. See minutes April 22 and May 6 meetings. One of the Commissioners went so far as to castigate the community for its failure to solve the traffic problem on San Jose Blvd on its own by hiring their own crossing guard, "holding a fundraiser" to build a

pedestrian bridge, or work more with the local government. The Commission is clearly unaware of the community's long history of attempts to meet with the City and DOT to improve pedestrian safety at the intersection of San Jose Blvd and Haley Rd, dating back to 1998.

The minutes will reflect that the Commission allowed the applicant to misrepresent and incorrectly re-interpret the email from appellant, Rabbi Kahanov. Rather than taking the email at face value or asking for clarification from the Rabbi himself or from one of his congregants present at the hearing.

The minutes will reflect that the applicant, his counsel, and people speaking on the applicant's behalf were allowed unlimited time at the beginning and end of both hearings.

**BASIS FOR APPEAL: § 50.201 – 50.207 INADQUATE EX PARTE DISCLOSURES**

Ex parte communications should have been disclosed at the beginning, not after closing public comment, in the quasi-judicial hearing so that Appellants could have been made aware and addressed the substance of any disclosed ex parte communications made outside the quasi-judicial hearing during Appellants' testimony.

Full and adequate disclosure of communications made outside the quasi-judicial hearing is required by constitutional procedural due process and the JAX CODE.

§ 50.201 – 50.207 of the JACKSONVILLE CODE provides the process by which Commission members must declare ex parte communications.

During discussion on 4/22/2021, Planning Commissioners alluded to previous conversations with the applicant or the property owner, the agents for either party, or other relevant interested parties, but never officially disclosed the actual substance of those ex parte conversations at the beginning of the hearing before testimony by the public and adversely affected parties, including the Appellants, in a manner consistent as defined in the Code of Ordinances for the JACKSONVILLE CODE.

On 5/06/2021, the commissioners moved to approve the application then declared ex parte communications with the applicant's attorneys Duggan and Hainline. See, pp. 158-159 of the meeting transcripts.

The substance of the ex parte communications were not fully disclosed prior to the public portion of the quasi-judicial hearing.

## ATTACHMENT A

Honorable Commission Members, my name is Stefen Wynn resident of 3057 Haley Lane. Over the past decade, I've been deeply involved in community planning, sustainable development, served on county and local plan commissions, board of zoning appeals, redevelopment commissions, and been a plan administrator – similar to Mr.

Killingsworth, but on a much smaller scale. I've also written a Comprehensive Plan and am currently in the middle of a comprehensive plan re-write for the community that I currently serve.

This is to say, that I understand the gravity of the decisions that you make and I appreciate your service to our community.

Today, I stand in opposition of E-21-16, because I believe that at its most basic level is contrary to the character of the existing neighborhood and ultimately does not follow the intention of the Comprehensive Plan. Furthermore, approval of this Zoning Exception would also require approval of a second waiver for distance requirements to serve alcohol near a school or church. In this case, the

distance is well under 500 feet, at a distance of 110 feet and the subject property is an abutting property to the Chabad Lubavitch, which is also seeking a variance for a school.

The staff report for E-21-16 recommends approval and references two other Exceptions that were recently granted: E-19-37 & E-20-38. I assert that both of these exceptions are essentially different from the application before you this afternoon. The exception for the Blue Bamboo granted retail sales and service for alcohol within a predominantly restaurant establishment – I'm certain that the DBPR could confirm that the Blue Bamboo does more volume of sales in food than in alcohol. The other exception was for a restaurant across San Jose and wholly contained within a strip Mall – with no driveway access that spills into a residential neighborhood. The application before you today has a driveway that spills onto Haley Road – a neighborhood access road that goes to a number of dead end or no through way streets.



The proposed sports bar before you today has already operated on Beach Boulevard for a few years. When you walk into the building, patrons are greeted by a large bar and a stage like area in the corner. The current menu for the applicant calls a 'Happy Hour' Monday-Friday 'till 7PM, that will most likely cause patrons to leave the building about the same time that children and families will be walking back from the synagogue across the street. The existing location on Beach Blvd. received new management in 2017, that garnered that location, "the number 1 sports BAR in Jacksonville;" That location was also awarded the '904 Happy Hours' top 20 Happy Hours in Jax. These designations have also garnered the applicant's current location 42 calls for service in 2019; and 17 calls for service to date from the Jacksonville Sheriff's Office.

While the staff report recommends approval, I highly encourage you to deny the exception because of the following reasons: the proposed exception to allow for the retail sales and service of alcoholic beverages

in conjunction with the service of food with outside seating may not contribute to urban sprawl, but the addition of outside seating for a sports bar hasn't existed within the immediate area; and certainly not abutting a church, that abuts another church.

Further, and more importantly, the proposed exception abuts a church that also has an application in for a school, and a residential neighborhood with multiple dead-ends. The property also has an ingress/egress that spills onto Haley Road at an intersection touted by JTA, the TPO and COJ for an innovative way to accommodate the religious needs of residents traveling safely across San Jose during the sabbath – crosswalk beacons activated by a sensor instead of a push button. While it may have commercial uses nearby, it fails to meet the same criteria that the other two exceptions met: namely Blue Bamboo and the exception granted across San Jose Blvd. Especially since one didn't need a waiver from section 656.805 of the City's code – distance limitations for the service of alcoholic beverages. Blue Bamboo needed

an exception due to the requirements of section 656.806 that establishes how distance between the properties are measured. The blue bamboo distance was measured from the back of the building to the rear property line of Chabad Lubavitch – an area not easily accessible by patrons of the Blue Bamboo or the church. In this applicant's case, the property shares it's entire rear lot line with the church and is accessible by the sidewalk along Haley Road, where the second driveway is located. Finally, the site plan for the outdoor sitting area has it facing the neighborhood, not San Jose Blvd.


The applicant's application also calls for Haley Road to be regularly used as part of their plan for emergency services, and as an extension of their traffic plan to get patrons in and out of the establishment.


I leave with this: approval of this application will unduly impact the safety and welfare of the residential community that I live. The intersection at San Jose and Haley Road is already dangerous, but has benefitted from the innovative approach to reducing vehicle and

pedestrian accidents that JTA, the TPO and the COJ collaborated on to get done. Allowing for a sports bar to go into this location next to a church and adjacent to a residential neighborhood access will undoubtedly exacerbate the already dangerous intersection. Based off the applicant's existing operations, since that's the only basis that I have to gauge the impact that a sports bar would have on our neighborhood, it's safe to believe that the "Number 1 Sports Bar in Jacksonville," and 904 Happy Hours top 20 Happy Hours in Jax will create an increase in traffic not only to the intersection, but also within the residential neighborhood behind the property in question.

Please vote to deny E-21-16 and WLD-21-04 and preserve the character and charm of our residential neighborhood.

FORM APPROVED:

  
Paige Hobbs Johnston  
Assistant General Counsel

  
David Hacker  
Secretary, Planning Commission

Copies to:

Matt Harris  
9446 Silhouette Lane  
Jacksonville, FL 32257  
*Applicant/Agent*

Wyman Duggan, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Blvd.  
Suite 1500  
Jacksonville, Florida 32207

Ramzy Bukkar  
P.O. Box 50910  
Jacksonville Beach, FL 32240  
*Owner*

**NOTICE: This Order does not become final until the expiration of the twenty-one (21) day appeal period provided in the Zoning Code. Any work commenced during this appeal period is done at the risk of the applicant, and a building permit will only be issued after an Acknowledgement of the appeal period has been obtained from the Zoning Counter and returned to same executed properly by the applicant(s) or their agent(s).**

GC-#1431371-v2:Order\_on\_E-21-16\_AC 5-6-21 dncx



ONE CITY. ONE JACKSONVILLE.

# City of Jacksonville, Florida

## Planning and Development Department

Current Planning Division  
Ed Ball Building  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7865  
www.coj.net

### Notice of Certification

May 14, 2021

RE: Appeal of E-21-16 / WLD-21-04

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#### Please find attached:

- \* **Certified 350 ft. property owner list**
- \* **Certified speaker / provider of written statement list**
- \* **Copy of Final Order**
- \* **Copy of Meeting Transcript**

If there are any further questions, please feel free to contact me at (904) 255-7829

E-21-16 / WLD-21-04 Heard on May 6, 2021

Patricia Sales

Executive Secretary, I

PLANNING AND DEVELOPMENT DEPARTMENT 2021-374

214 North Hogan Street, 3<sup>rd</sup> Floor | Jacksonville, Florida 32202 | Phone: 904.255.7800 | Fax: 904.255.7884

ON FILE  
Page 32 of 327

total #163

94 Thomas Bowman  
2873 Starshire Cove  
Jacksonville, FL 32257

106 Jeff Beyer  
2950 Starshire Court  
Jacksonville, FL 32257

116 Judy Mizrahi  
2945 Mandarin Hollow Drive  
Jacksonville, FL 32257

97 Sabrina Rothberg  
10146 Oakisle Road West  
Jacksonville, FL 32257

107 Bonita Hardy  
10796 Knottingby Drive  
Jacksonville, FL 32257

117 Michael Shorstein  
2961 Mandarin Hollow Drive  
Jacksonville, FL 32257

98 Johnathan Gross  
2922 Bernice Court  
Jacksonville, FL 32257

108 Justin Sakofs  
2903 Bernice Court  
Jacksonville, FL 32257

118 Abraham Smith  
2910 Bernice Court  
Jacksonville, FL 32257

99 Owen and Alma Wilson  
9995 Merlin Drive East  
Jacksonville, FL 32257

109 Carole Warzbach  
3113 Watson Drive South  
Jacksonville, FL 32257

119 Jerry Scott  
9954 Watson Drive West  
Jacksonville, FL 32257

100 Beth Wolpuff  
9951 Haley Road  
Jacksonville, FL 32257

110 Keith Odum  
9955 Merlin Drive East  
Jacksonville, FL 32257

120 Charlene Prentice  
9975 Merlin Drive East  
Jacksonville, FL 32257

101 Paulette Reynolds  
9940 Watson Drive West  
Jacksonville, FL 32257

111 Ruth Jackson  
3067 Watson Drive South  
Jacksonville, FL 32257

121 Ronald Mizrahi  
3068 Cornelia Drive  
Jacksonville, FL 32257

102 Augustine and Jody Pacheco  
2916 Bernice Drive  
Jacksonville, FL 32257

112 Suzanne Mecke  
3114 Cornelia Drive  
Jacksonville, FL 322057

122 Souhel Safar  
2964 Bernice Drive  
Jacksonville, FL 32257

103 Summers Parker  
3089 Merlin Drive North  
Jacksonville, FL 32257

113 Judith and John Beehner  
2913 Bernice Drive  
Jacksonville, FL 32257

123 Dan Borgnaes  
2937 Bernice Drive  
Jacksonville, FL 32257

104 Lawrence Ossi  
3090 Merlin Drive North  
Jacksonville, FL 32257

114 Edward Gamble  
2985 Bernice Drive  
Jacksonville, FL 32257

124 Jack Wang  
9901 Merlin Drive East  
Jacksonville, FL 32257

105 Alan Van Der Ploeg  
3068 Merlin Drive North  
Jacksonville, FL 32257

115 Robbin Green  
Michael Clevinger  
3128 Merlin Drive North  
Jacksonville, FL 32257

125 Dinah Castillo  
3114 Merlin Drive North  
Jacksonville, FL 32257

2021-374

ON FILE

E-21-16  
148997 1040  
MONUMENT LEASING CORP  
1443 SAN JOSE BLVD STE 802  
JACKSONVILLE, FL 32223

E-21-16  
149008 0000  
JACKSONVILLE JEWISH CENTER  
3662 CROWN POINT RD  
JACKSONVILLE, FL 32257-5955

E-21-16  
149661 0260  
ALLEN H BRUCE  
10136 HALEY RD  
JACKSONVILLE, FL 32257-5824

2 E-21-16  
149661 0262  
RUKAB RANA M ET AL  
7104 HOLIDAY RD S  
JACKSONVILLE, FL 32216

12 E-21-16  
149661 0278  
KAHANOV JOSEPH  
2967 BRAEMAR DR  
JACKSONVILLE, FL 32257-5813

22 E-21-16  
149661 0280  
SDS PLANNING TRUST  
147-19 75TH AVENUE  
FLUSHING, NY 11367

3 E-21-16  
149661 0282  
ZACUR ASSAD ET AL  
2961 STARSHIRE CV  
JACKSONVILLE, FL 32257

13 E-21-16  
149661 0202  
JACKSONVILLE ELECTRIC AUTHORITY  
21 W CHURCH ST  
JACKSONVILLE, FL 32202-3155

23 E-21-16  
148791 0000  
NE FLORIDA CAPITAL GROUP LLC  
P O BOX 50910  
JACKSONVILLE BEACH, FL 32250

4 E-21-16  
149661 0276  
GROSS ARYEH  
2957 BRAEMAR DR  
JACKSONVILLE, FL 32257-5813

14 E-21-16  
149661 0258  
HERMAN HOLLY SARAH  
10146 HALEY RD  
JACKSONVILLE, FL 32257

24 E-21-16  
149008 0200  
CROWN POINT PLAZA LAND TRUST ET AL  
1 SLEIMAN PKWY STE 270  
JACKSONVILLE, FL 32216

5 E-21-16  
148789 0020  
NEWTON CLIFFORD B  
10192 SAN JOSE BLVD  
JACKSONVILLE, FL 32257-5888

15 E-21-16  
149009 0000  
ETZ CHAIM SYNAGOGUE  
10167 SAN JOSE BLVD  
JACKSONVILLE, FL 32257-5837

25 E-21-16  
149661 0232  
MILLER NANCY HARRIS  
4350 BARQUERO CT E  
JACKSONVILLE, FL 32217

6 E-21-16  
149661 0256  
ZACHARIA WIDAD ET AL  
2987 STARSHIRE CV  
JACKSONVILLE, FL 32257-5859

16 E-21-16  
149008 0100  
CROWN POINT PLAZA LAND TRUST ET AL  
C/O MCDONALDS  
12276 SAN JOSE BLVD #601  
JACKSONVILLE, FL 32223

26 E-21-16  
148997 1030  
BLUE BAMBOO LAND LLC  
3820 SOUTHSIDE BLVD 1  
JACKSONVILLE, FL 32216

7 E-21-16  
149652 0000  
CHABAD LUBAVITCH OF NE FLA INC  
10129 HALEY RD  
JACKSONVILLE, FL 32257-5823

17 E-21-16  
148789 0010  
E HOLDINGS LLC  
PO BOX 56678  
JACKSONVILLE, FL 32241

27 E-21-16  
149657 0100  
KOREAN CENTRAL BAPTIST CHURCH INC  
10113 HALEY RD  
JACKSONVILLE, FL 32257

8 E-21-16  
149008 0050  
HESS RETAIL STORES LLC  
C/O PROPERTY TAX DEPARTMENT  
539 SOUTH MAIN ST  
FINDLAY, OH 45840

18 E-21-16  
149661 0234  
WENDY R B HONIGMAN LIVING TRUST  
2968 STARSHIRE CV  
JACKSONVILLE, FL 32257-5804

28 E-21-16  
148791 0100  
STORE MASTER FUNDING II LLC  
9500 S DADELAND BLVD SUITE 800  
MIAMI, FL 33156

9 E-21-16  
149661 0230  
MARTINEZ NANCY M  
2988 STARSHIRE CV  
JACKSONVILLE, FL 32257-5804

19 E-21-16  
149661 0274  
LEVINE DAVID A  
2949 BRAEMAR DR  
JACKSONVILLE, FL 32257-5813

29 E-21-16  
SOUTHEAST  
CAROL D'ONOFRIO  
7938 MCLAURIN RD  
JACKSONVILLE, FL 32256

10 E-21-16  
PICKWICK PARK CIVIC ASSOCIATION  
ANNY AKERS  
45 PICKWICK DRIVE SOUTH  
JACKSONVILLE, FL 32257

20 E-21-16  
RAMZY BAKKAR  
PO BOX 50910  
JACKSONVILLE BEACH, FL 322040

30 E-21-16  
MATT HARRIS  
9446 SILHOUETTE LANE  
JACKSONVILLE, FL 32257

2021-374  
ON FILE



36 Norman W. Haynes, Jr.  
2926 Braemar Drive  
Jacksonville, FL 32257

46 Binyamin Levin and Megan Romer  
2930 Starshire Cove  
Jacksonville, FL 32257

56 Ariella Abrams  
3044 Haley Lane  
Jacksonville, FL 32257

37 Rana Rukab  
2986 Oakisle Road North  
Jacksonville, FL 32216

47 Elizabeth Hamaoui  
3090 Cornelia Drive  
Jacksonville, FL 32257

57 Cynthia Handmaker  
3041 Haley Lane  
Jacksonville, FL 32257

38 Victoria Akel  
3054 Haley Lane  
Jacksonville, FL 32257

48 Amy May  
3084 Haley Lane  
Jacksonville, FL 32257

58 Arlene Rubin  
3033 Haley Lane  
Jacksonville, FL 32257

39 Victoria Faulkner  
John Citrone  
3049 Haley Lane  
Jacksonville, FL 32257

49 Shirley and Abe Bickski  
3032 Jacob Fixel Court  
Jacksonville, FL 32257

59 Michael and Monique Keaton  
3062 Jacob Fixel Court  
Jacksonville, FL 32257

40 Gira and Nishant Patel  
3026 Jacob Fixel Court  
Jacksonville, FL 32257

50 Beverly and Peter Burchett  
3056 Jacob Fixel Court  
Jacksonville, FL 32257

60 Alan Milner  
10360 Arrow Head Drive  
Jacksonville, FL 32257

41 Christa Hill  
3020 Jacob Fixel Court  
Jacksonville, FL 32257

51 Gabor Menczelesz  
2977 Oak Isle Road North  
Jacksonville, FL 32257

61 Evan Gorin  
2946 Bernice Court  
Jacksonville, FL 32257

42 Steve Goranson  
3023 Cornelia Drive  
Jacksonville, FL 32257

52 Marilyn Wolfson  
Elisa Wolfson  
2974 Mandarin Hollow Drive  
Jacksonville, FL 32257

62 Jerome Rosenbaum  
10327 Bigtree Terrace  
Jacksonville, FL 32257

43 Rabbi Gary Perras  
4124 Castlebay Drive  
Jacksonville, FL 32257

53 Linda Rosenthal  
3100 Cornelia Drive  
Jacksonville, FL 32257

63 Sara Gross  
2953 Mandarin Hollow Drive  
Jacksonville, FL 32257

44 Lodine Jenkins  
9943 Merlin Drive East  
Jacksonville, FL 32257

54 Matthew Mecke ET AL  
2976 Bernice Drive  
Jacksonville, FL 32257

64 Harris  
2994 Bernice Drive  
Jacksonville, FL 32257

45 Eduardo and Nydia Torres  
3024 Merlin Drive North  
Jacksonville, FL 32257

55 Barry and Dolores Cooper  
9921 Merlin Drive East  
Jacksonville, FL 32257

65 Dan Rocha  
3088 Watson Court  
Jacksonville, FL 32257

2021-374

ON FILE

31  
3099 Cornelia Drive  
Jacksonville, FL 32257

33  
2997 Bernice Drive  
Jacksonville, FL 32257

35  
3068 Cornelia Drive  
Jacksonville, FL 32257

32  
Morrie Ostener  
2667 Spreading Oak Lane  
Jacksonville, FL 32257

34  
Deb Levine  
3114 Watson Drive  
Jacksonville, FL 32257

Written Statements for  
E-21-16 / WLD-21-04

64	Mark and Robin Duarte 3128 Cornelia Drive Jacksonville, FL 32257	76	Kenneth and Louise Hillier 3058 Cornelia Drive Jacksonville, FL 32257	86	3805 Cornelia Drive Jacksonville, FL 32257
67	Brandon Mitchell 3020 Watson Drive South Jacksonville, FL 32257	77	Regina Bielawski 2973 Bernice Drive Jacksonville, FL 32257	87	Nancy Brannen 9930 Watson Drive West Jacksonville, FL 32257
68	Nancy Allen 3067 Merlin Drive North Jacksonville, FL 32257	78	Glenn Pearl 3067 Cornelia Drive Jacksonville, FL 32257	88	Eulogio Fernandez 3039 Cornelia Drive Jacksonville, FL 32257
69	Martin and Mere Schwartz 3089 Cornelia Drive Jacksonville, FL 32257	79	Elaine McMillan 2976 Oakisle Road North Jacksonville, FL 32257	89	Cynthia Finkelstein 3092 Watson Court Jacksonville, FL 32257
70	Arthur Rosenthal 2960 Starshire Cove Jacksonville, FL 32257	80	Brent Hale 2948 Braemar Drive Jacksonville, FL 32257	90	Lana Grumberg 2977 Oakisle Road North Jacksonville, FL 32257
71	Mr. and Mrs. Yousef Zacharia 2987 Starshire Cove Jacksonville, FL 32257	81	Lee Marer 2986 Oakisle Road North Jacksonville, FL 32257	91	Michael Nordan 2978 Starshire Cove Jacksonville, FL 32257
72	Peter Blunt 2977 Mandarin Hollow Drive Jacksonville, FL 32257	82	Wendy Honigman 2968 Starshire Cove Jacksonville, FL 32257	92	Michael Herman 10146 Haley Road Jacksonville, FL 32257
73	Mary Monfort 2987 Oakisle Road North Jacksonville, FL 32257	83	Joseph Hamaoui 3044 Haley Lane Jacksonville, FL 32257	93	George Zakour 2661 Starshire cove Jacksonville, FL 32257
74	Hector Martinez 2988 Starshire Cove Jacksonville, FL 32257	84	Rivka Cohen 10154 Oakisle Road West Jacksonville, FL 32257	94	Sharon Reed 10138 Oakisle Road West Jacksonville, FL 32257
75	Samson Kahn 10162 Oakisle Road West Jacksonville, FL 32257	85	Carmen Safar 2927 Braemar Drive Jacksonville, FL 32257	95	Adrian Goldfarb 2968 Oakisle Road North Jacksonville, FL 32257

2021-374

ON FILE

126

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Brian Sherman DATE: 4/22/2011  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2561 delwood Ave Jacksonville FL  
(Street) (City) (State) 32204  
PHONE: (904) 943-9597  
(Area Code) (Phone Number)

REPRESENTING: Time out 2  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER: E-21-16 WLD-21-04 PAGE NUMBER: 3/4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☒ (Check if in support)  
I OPPOSE THIS APPLICATION ☐ (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER.  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

127

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Gregory George DATE: 04/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 1293 Belvedere Ave JAX FL  
(Street) (City) (State) 32205  
PHONE: (904) 612-5693  
(Area Code) (Phone Number)

REPRESENTING: \_\_\_\_\_  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER: E-21-16 WLD 2104 PAGE NUMBER: 3/4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☒ (Check if in support)  
I OPPOSE THIS APPLICATION ☐ (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

2021-374

ON FILE

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER Page 38 of 327

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Beth Beve DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2950 Starshine Court  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 434-6390  
(Area Code) (Phone Number)

### REPRESENTING:

(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 / WLD-21-04 PAGE NUMBER 3 & 4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION



(Check if in support)

I OPPOSE THIS APPLICATION



(Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: T.R. Halking DATE: 4/22  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 1301 Riverdale Blvd. Jax FL 32207  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 378-3911  
(Area Code) (Phone Number)

### REPRESENTING:

(Example: Client / Organization / Business / Company / Yourself)

Time Out Sports Grill Mandarin, LLC

1. APPLICATION NUMBER ~~2021~~ E-21-16 PAGE NUMBER 3  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION



(Check if in support)

I OPPOSE THIS APPLICATION



(Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

2021-374

ON FILE

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Matt Harris DATE: 4-22-11  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 9446 Silhouette Lane Jer FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (407) 727-5165  
(Area Code) (Phone Number)

REPRESENTING: I am the owner  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER: E-21-18 Companion W-10-21-04 PAGE NUMBER: 3/4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION: ☒ (Check if in support)  
I OPPOSE THIS APPLICATION: ☐ (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

131

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Martin Harris DATE: 4/22/11  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 1535 Parkwood St Apt 2 Stax FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (727) 259-8327  
(Area Code) (Phone Number)

REPRESENTING: self  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER: E-21-18 (W-10-21-04) PAGE NUMBER: 3/4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION: ☒ (Check if in support)  
I OPPOSE THIS APPLICATION: ☐ (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: Jacksonville needs outdoor dining, massive  
missed opportunity  
2021-374  
ON FILE

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Gloria E EINHSTEIN DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2937 Browman Dr Jan FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 386-3636  
(area code) (Phone Number)  
REPRESENTING: neighborhood  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 21-04 PAGE NUMBER: 4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: T.R. Nainline DATE: 4/22  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 1301 Riverplace Blvd Jax FL 32207  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 398-3911  
(area code) (Phone Number)  
REPRESENTING: Time Out Sports Grill Mandarin, LLC  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-21-04 PAGE NUMBER: 4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☒  
(Check if in support)

I OPPOSE THIS APPLICATION ☐  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → Page 41 of 327 →

2021-374  
ON FILE

133

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: 21 Pares 2990h DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2909 Mandarin Hollow Dr FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: 904 4344335  
(Area Code) (Phone Number)

REPRESENTING: My self  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-2504 PAGE NUMBER: 834  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION

(Check if in support)

I OPPOSE THIS APPLICATION

(Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD





# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Andrew Jaffa DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2801 Sylvan Lane N. Jacksonville FL 32253  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 813-9051  
(Area Code) (Phone Number)

REPRESENTING: Myself  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER W.L.D. - 21 - 04 E-21-16 PAGE NUMBER: 33 4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION: ☐  
(Check if in support)

I OPPOSE THIS APPLICATION: ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Steven Wynn DATE: 4/22/2021  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 3057 Haley Ln. Jacksonville FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (574) 514-2244  
(Area Code) (Phone Number)

REPRESENTING: \_\_\_\_\_  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION: ☐  
(Check if in support)

I OPPOSE THIS APPLICATION: ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: I Plan to Speak

2021-374

ON FILE

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

Page 43 of 327

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Julia Ester DATE: 04/22/2021  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2912 48th Street Jacksonville FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 561-3017  
(Area Code) (Phone Number)

REPRESENTING: E-2116 and WLD 21-04  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER 334 PAGE NUMBER: 334  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION: ☐ I OPPOSE THIS APPLICATION: ☒  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: This sports bar will make our neighborhood  
less safe for everyone.

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Dea Finkelstein DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 3092 Wilton Court San FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 525-2413  
(Area Code) (Phone Number)

REPRESENTING: Self  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 / WLD-21-04 PAGE NUMBER: 334  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION: ☐ I OPPOSE THIS APPLICATION: ☒  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

2021-374

ON FILE

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER Page 44 of 327

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Rebecca Fixel DATE: 4-22-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 3068 Jacob Fixel Ct. FL Day  
(Street) (City) (State) (Zip Code)  
PHONE: 904 703-5860  
(Area Code) (Phone Number)

REPRESENTING: \_\_\_\_\_  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 / WCD-21-04 PAGE NUMBER: 3 of 4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: RICHARD BROWN DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 3133 Watson Drive South Jacksonville 32257  
(Street) (City) (State) (Zip Code)  
PHONE: 904 731-7724  
(Area Code) (Phone Number)

REPRESENTING: Self  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 / WCD-2104 PAGE NUMBER: 3 of 4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

2021-374

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

ON FILE

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Page 45 of 327

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda.

NAME: David Levine DATE: 4/22  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2949 Brachman Dr FL 32252  
(Street) (City) (State) (Zip Code)  
PHONE: 904 994-7283  
(Area Code) (Phone Number)  
REPRESENTING: Pickwick Park 2 - Subdivision  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 21-04 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda.

NAME: Jeanne Sandberg DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2886 Starshine Lane Jay FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: 904 840-5185  
(Area Code) (Phone Number)  
REPRESENTING: Neighborhood  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 21-04 PAGE NUMBER: 4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

2021-374  
SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER ON FILE  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD Page 46 of 327 ⇒

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda

NAME: HOWARD WOLPOFF DATE: 4-22-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 9951 HALEY ROAD JACKSONVILLE FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 451-8252  
(Area Code) (Phone Number)  
REPRESENTING: MYSELF / HALEY ROAD COMMUNITY  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION



(Check if in support)

I OPPOSE THIS APPLICATION



(Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda

NAME: GERGE MECKE DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 3114 CORNELIA RD JACKSONVILLE FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 434-0340  
(Area Code) (Phone Number)  
REPRESENTING: Pickwick 3 subdivision  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 WLD 21-03 PAGE NUMBER: 3 of 4  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION



(Check if in support)

I OPPOSE THIS APPLICATION



(Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

2021-374

ON FILE

Page 47 of 327

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: GORDON LEVINE DATE: 4/22/2021  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 3114 WATSON DR JACKSONVILLE FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 563 1667  
(area code) (Phone Number)

REPRESENTING: Self  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 & WLD 21-04 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Stefen Wynn DATE: 4/22/2021  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 3057 Haley LN Jacksonville FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (574) 514-3224  
(area code) (Phone Number)

REPRESENTING: \_\_\_\_\_  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-21-04 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → Page 48 of 327 →

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda

NAME: Kelly DeLucia DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 5691 Lighthouse Cir Neptune Beach FL 32566  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 755-2952  
(Area Code) (Phone Number)

REPRESENTING: T. Trucchi  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION: ☒ (Check if in support)  
I OPPOSE THIS APPLICATION: ☐ (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda

NAME: Angela Thomas DATE: 4-22-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 970 Clay St Freezing Islands FL 32033  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 631-1714  
(Area Code) (Phone Number)

REPRESENTING: Seaside Community  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER W60-2404 E-21-16 PAGE NUMBER: 394  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION: ☐ (Check if in support)  
I OPPOSE THIS APPLICATION: ☒ (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: This is a high priority area due to religious observance  
ON FILE  
Page 49 of 327

*Duplicate*

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda

NAME: David Levine DATE: 4/25  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 245 Broward Dr Max FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 954-7283  
(Area Code) (Phone Number)  
REPRESENTING: Starchine Subdivisor  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WNN E 21-16 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION



(Check if in support)

I OPPOSE THIS APPLICATION



(Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



*Duplicate*

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda

NAME: Gloria A. Epstein DATE: 7/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2937 Braemar Dr FL  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 386 3636  
(Area Code) (Phone Number)  
REPRESENTING: Neighborhood  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION



(Check if in support)

I OPPOSE THIS APPLICATION



(Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

2021-374

ON FILE

Page 50 of 327

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER



Incomplete Address

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda

NAME: FERN ESTNER DATE: 04-22-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2872 BERNICE CT. FLA  
(Street) (City) (State) (Zip Code)  
PHONE: 904-891-0200  
(Area Code) (Phone Number)  
REPRESENTING: myself  
(Example: Client / Organization / Business / Company / Yourself)  
1. APPLICATION NUMBER: E-21-16 WLD21-04 PAGE NUMBER: 1  
(E-7777 THIS NUMBER MUST BE FILLED IN)  
I SUPPORT THIS APPLICATION ☐ I OPPOSE THIS APPLICATION ☒  
(Check if in support) (Check if in opposition)  
2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER.  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda

NAME: Ramza Bakker DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 320 N 1st Street Ste 706 Jacksonville  
(Street) (City) (State) (Zip Code)  
PHONE: 904-270-1976  
(Area Code) (Phone Number)  
REPRESENTING: Property Owner  
(Example: Client / Organization / Business / Company / Yourself)  
1. APPLICATION NUMBER: E-21-16 PAGE NUMBER: 2021-374  
(E-7777 THIS NUMBER MUST BE FILLED IN)  
I SUPPORT THIS APPLICATION ☒ I OPPOSE THIS APPLICATION ☐  
(Check if in support) (Check if in opposition)  
2. COMMENTS FROM THE PUBLIC:

ON FILE

# Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing or item 2 below for Public Comments Section of Board/Committee Agenda:

And sorry meeting

140

NAME:

Michael Jackson, P.E.

ADDRESS:

2906 W. Anderson Blvd., Jacksonville, FL 32257

PHONE:

904.236.0903

(Area code)

(Phone Number)

REPRESENTING:

Myself

1. APPLICATION NUMBER

E-21-16

PAGE NUMBER:

I SUPPORT THIS APPLICATION

(Check if in support)

I OPPOSE THIS APPLICATION

(Check if in opposition)

2. COMMENTS FROM THE PUBLIC

Application of City Planning Dept. not based on relevant data, and do not address the officials' conditions.

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

# Jacksonville Planning Commission

SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME:

BOBBY HENDER

ADDRESS:

3041 Hwy 1A NE

PHONE:

904.234.8970

(Area code)

(Phone Number)

REPRESENTING:

Self

1. APPLICATION NUMBER

E-21-02

PAGE NUMBER:

I SUPPORT THIS APPLICATION

(Check if in support)

I OPPOSE THIS APPLICATION

(Check if in opposition)

2. COMMENTS FROM THE PUBLIC

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

ON FILE

2021-374

Page 52 of 327

147

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda.

NAME: Don Smolensky DATE: 4/22/2021  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2816 Starshine Cv Jacksonville FL  
(Street) (City) (State) 32067  
PHONE: (904) 800-6610  
(Area code) (Phone Number) (Zip Code)

REPRESENTING: Self  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 WLD-21-04 PAGE NUMBER: \_\_\_\_\_  
(E- 77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER.

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ⇒ ⇒ ⇒ ⇒

148

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda.

NAME: Chai Gross DATE: 4-22-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2922 Bernice Ct. Jack. FL  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 708 8044  
(Area code) (Phone Number)

REPRESENTING: \_\_\_\_\_  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 WLD-21-04 PAGE NUMBER: 3 & 4  
(E- 77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

2021-374

ON FILE

Page 53 of 327

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

149

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: BAKARI DOWELL DATE: 4-22-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 1178 S. Kingsfork Ln E JAX FL 32218  
(Street) (City) (State) (Zip Code)  
PHONE: 904 424-3672  
(Area Code) (Phone Number)

REPRESENTING: TIME OUT MANDATE INC  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 (CAMPION) - WLD-21-04 PAGE NUMBER: 384  
(E-??-??? THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☒ I OPPOSE THIS APPLICATION ☐  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: ARVY GROSS DATE: 4/22  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2957 Brenner D  
(Street) (City) (State) (Zip Code)  
PHONE: 904 216-4018  
(Area Code) (Phone Number)

REPRESENTING: \_\_\_\_\_  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 / WLD-21-04 PAGE NUMBER: 384  
(E-??-??? THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☐ I OPPOSE THIS APPLICATION ☒  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

2021374

ON FILE

Page 54 of 327

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: JASON CANNING DATE: 04/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 1812 ATLANTIC BLVD JACKSONVILLE FL 32207  
(Street) (City) (State) (Zip Code)  
PHONE: 904 755-5589  
(Area code) (Phone Number)

REPRESENTING: CLIENT  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-17-V-21-02 E-21-16 PAGE NUMBER: WCD-21-04  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☒ (Check if in support) I OPPOSE THIS APPLICATION ☐ (Check if in opposition)

2. COMMENTS FROM THE PUBLIC:

IT IS A GREAT RE-USE OF AN "EYE SORE" IN A NCE AREA

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Sarah Herman DATE: 4/22/2021  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 10146 Haley Rd Jacksonville FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: 904 761-1016  
(Area code) (Phone Number)

REPRESENTING: Self  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐ (Check if in support) I OPPOSE THIS APPLICATION ☒ (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: 2021-374

ON FILE

151

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: KADEN Robbie DATE: 4/22/2021  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 6944 SE Augustine Road Jax, FL  
(Street) (City) (State)  
PHONE: (904) 703-5690 32217  
(Area Code) (Phone Number) (Zip Code)

REPRESENTING: Math Warris  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-2146 WLD00107 PAGE NUMBER: 39 4  
(E-??-??? THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☒  
(Check if in support)

I OPPOSE THIS APPLICATION ☐  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda.

NAME: Jeanne Sandberg DATE: 4/22/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2801 Stanshine Court Jay FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: 904 860-5185  
(area code) (Phone Number)

REPRESENTING: Neighborhood  
(example: Client // Organization // Business // Company // Yourself)

1. APPLICATION NUMBER E 21-16 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☐ (Check if in support)  
I OPPOSE THIS APPLICATION ☒ (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER.  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

152

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Sarah Herman DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 10146 Haley Rd, Jacksonville, FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: ( )  
(Area Code) (Phone Number)  
REPRESENTING: Self  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E21-16 PAGE NUMBER: \_\_\_\_\_  
(E-7777 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☐ I OPPOSE THIS APPLICATION ☒  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: HOWARD WOLPOFF DATE: 5-6-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 9951 HOLLEY ROAD JACKSONVILLE FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 51-8252  
(Area Code) (Phone Number)  
REPRESENTING: HOLEY ROAD NEIGHBORHOOD  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E21-16 / WLD 21-04 PAGE NUMBER: \_\_\_\_\_  
(E-7777 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☐ I OPPOSE THIS APPLICATION ☒  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

NEGOTIATION TEAM FOR COMMUNITY - WOULD LIKE TO SPEAK

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → 2021-374 →

ON FILE

Page 58 of 327



Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Jeannine Sandberg DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2856 Stansbury Lane Jax FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: 904 860 6185  
(Area Code) (Phone Number)  
REPRESENTING: Self / neighborhood  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 21 04 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

153

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Barbara R. Feldman DATE: 05-06-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 10279 Bear Valley Rd. Jax FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: 1  
(Area Code) (Phone Number)  
REPRESENTING: SELF  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → 202-874 →

ON FILE

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Chai Gross DATE: 5-6-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2922 Bernice Ct. Jax FL 32217  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 808 8044  
(Area code) (Phone Number)  
REPRESENTING: Myself  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: 3  
(E-71-727 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐

I OPPOSE THIS APPLICATION ☒

2. COMMENTS FROM THE PUBLIC: Don't think the law should  
(Check if in support) (Check if in opposition)

be changed - this Bar is back to back to a school and synagogue

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Andrew Jafra DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2801 Sylvan Lane N. Jax FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 813-9051  
(Area code) (Phone Number)  
REPRESENTING: Myself  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E21-16 PAGE NUMBER:   
(E-71-727 THIS NUMBER MUST FILLED IN)

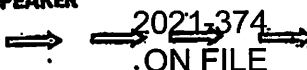
I SUPPORT THIS APPLICATION ☐

I OPPOSE THIS APPLICATION ☒

2. COMMENTS FROM THE PUBLIC:   
(Check if in support) (Check if in opposition)

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Gloria EINSTEIN DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2937 BRAEMER Jr Ln FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 386-3636  
(Area Code) (Phone Number)  
REPRESENTING: neighborhood  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-21-04, E-21-16 PAGE NUMBER: \_\_\_\_\_  
(E-72-777 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: RICHARD BRONOWITZ DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 3133 WATSON DRIVE S 32257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 731-7724  
(Area Code) (Phone Number)  
REPRESENTING: SELF  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: \_\_\_\_\_  
(E-72-777 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if in support)

I OPPOSE THIS APPLICATION ☒  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: NOT SPEAKING

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → 2021-374 → →

ON FILE

Page 61 of 327

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: GEORGE MECKE DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 3114 CORNELIA DR JACKSONVILLE FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: 904 434-0340  
(Area code) (Phone Number)  
REPRESENTING: HALEY RD NEIGHBORHOOD  
(example: Client / Organization / Business / Company / Yourself)  
1. APPLICATION NUMBER E-21-16 PAGE NUMBER: \_\_\_\_\_  
(E-7777 THIS NUMBER MUST BE FILLED IN)  
I SUPPORT THIS APPLICATION ☐ I OPPOSE THIS APPLICATION ☒  
(Check if in support) (Check if in opposition)  
2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete Item 1 below for Board/Committee Public Hearing  
or Item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Sherry HERRING DATE: 5-6-2021  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 29166 Mulberry Hollow Dr. Jacksonville FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: 904 651-6438  
(Area code) (Phone Number)  
REPRESENTING: Haley Road neighborhood  
(example: Client / Organization / Business / Company / Yourself)  
1. APPLICATION NUMBER E-21-16 PAGE NUMBER: 3  
(E-7777 THIS NUMBER MUST BE FILLED IN)  
I SUPPORT THIS APPLICATION ☐ I OPPOSE THIS APPLICATION ☒  
(Check if in support) (Check if in opposition)  
2. COMMENTS FROM THE PUBLIC: not speaking

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → 2021-374 →

ON FILE

Page 62 of 327

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Matt Harris DATE: 05/06/90  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 9446 S. Hawthorn Ln Jay FL 32157  
(Street) (City) (State) (Zip Code)  
PHONE: 405 737-5165  
(Area Code) (Phone Number)  
REPRESENTING: For Mr. (CA Army)  
(Example: Client / Organization / Business / Company / Yourself)  
1. APPLICATION NUMBER E-2116 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST FILLED IN)  
I SUPPORT THIS APPLICATION ☒ I OPPOSE THIS APPLICATION ☐  
(Check if in support) (Check if in opposition)  
2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

154

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: James Fugue Enqua DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 1500 Emma Ln Neptune Beach FL 32066  
(Street) (City) (State) (Zip Code)  
PHONE: 1   
(Area Code) (Phone Number)  
REPRESENTING: The Carriere Family Limited Partnership  
(Example: Client / Organization / Business / Company / Yourself)  
1. APPLICATION NUMBER 2021-0198 PAGE NUMBER: 8  
(E-77-777 THIS NUMBER MUST FILLED IN)  
I SUPPORT THIS APPLICATION ☒ I OPPOSE THIS APPLICATION ☐  
(Check if in support) (Check if in opposition)  
2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER  
PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

20246374

ON FILE

155

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Starling Wagner DATE: 5-6-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2803 Village Grove Dr. FL 3257  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 655-8362  
(Area Code) (Phone Number)

REPRESENTING: \_\_\_\_\_  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-2116 PAGE NUMBER: \_\_\_\_\_  
(E-77777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☒ I OPPOSE THIS APPLICATION ☐  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

156

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Winship Dowell DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 855 Mapleton ter Jacksonville FL 32207  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 545-9128  
(Area Code) (Phone Number)

REPRESENTING: \_\_\_\_\_  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E2116 PAGE NUMBER: \_\_\_\_\_  
(E-77777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☒ I OPPOSE THIS APPLICATION ☐  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → 2021-374 →

ON FILE

Page 64 of 327

157

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: SUSAN EAGLESTEIN DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2601 RIVERCROFT DR N JAX FL 32222  
(Street) (City) (State) (Zip Code)  
PHONE: 904 699-8345  
(Area Code) (Phone Number)  
REPRESENTING: TIME OUT  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-2116 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☒ I OPPOSE THIS APPLICATION ☐  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Martin AIRM DATE: 5/11/2021  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 1276 Parkwood St. Apt. L JAX FL 32207  
(Street) (City) (State) (Zip Code)  
PHONE: 772 289 8627  
(Area Code) (Phone Number)  
REPRESENTING: Self  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-71-16 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☒ I OPPOSE THIS APPLICATION ☐  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: TAX needs more action during

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

2021-374  
ON FILE

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Marjorie Rogozinski DATE: MAY 6, 2021  
ADDRESS: 2845 Forest Circle 31257  
PHONE: 904 891-9583  
REPRESENTING: Time Out  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E2116 PAGE NUMBER: 3  
(6-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☒

I OPPOSE THIS APPLICATION ☐

2. COMMENTS FROM THE PUBLIC:

I support Matt there  
all the way

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Dr. Alan Harris DATE: 5-6-21  
ADDRESS: 29446 Silhouette Ln Jax FL 32257  
PHONE: 904 962-9697  
REPRESENTING: Time Out Mendocino  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER K2116 PAGE NUMBER: 3  
(6-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☒

I OPPOSE THIS APPLICATION ☐

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD



2021-374  
ON FILE



Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Beth Boyer DATE: 5/6/21  
ADDRESS: 2950 Starshine Circle Jay FL 32257  
PHONE: 904 434-6396  
(area code) (Phone Number) (City) (State) (Zip Code)

REPRESENTING: \_\_\_\_\_  
(example: Client / Organization / Business/Company / Yourself)

1. APPLICATION NUMBER E-21-16 / WLD-21-04 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST BE FILED IN)

I SUPPORT THIS APPLICATION ☐ I OPPOSE THIS APPLICATION ☒  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Michael Azar DATE: 5/6/21  
ADDRESS: 2406 Mandarin Dr  
PHONE: 904 236-0903  
(area code) (Phone Number) (City) (State) (Zip Code)

REPRESENTING: Myself & the neighborhood  
(example: Client / Organization / Business/Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST BE FILED IN)

I SUPPORT THIS APPLICATION ☐ I OPPOSE THIS APPLICATION ☒  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: Concern for safety in residential area  
Suggests Red walk & block off Halcy Rd

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → 2021-374 → →

ON FILE

*Duplicate*

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Lon Smolensky DATE: 5-6-21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2846 Starshire CV JAX FL 32257  
(Street) (City) (State) (Zip Code)  
PHONE: 1904 800-6610  
(Area Code) (Phone Number)  
REPRESENTING: Self  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 WLD 21-01 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST BE FILED IN)

I SUPPORT THIS APPLICATION ☐

I OPPOSE THIS APPLICATION ☒

2. COMMENTS FROM THE PUBLIC:

Schools / Church / Synagogues nearby  
Commission staff should re-do report / look at non-commercial variables

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

*Duplicate*

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Zippora Zagari DATE: 5/10/2021  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2909 mandarin Haller Dr  
(Street) (City) (State) (Zip Code)  
PHONE: 1  
(Area Code) (Phone Number)  
REPRESENTING: \_\_\_\_\_  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST BE FILED IN)

I SUPPORT THIS APPLICATION ☐

I OPPOSE THIS APPLICATION ☒

2. COMMENTS FROM THE PUBLIC:

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD

2021-374  
ON FILE

159

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Miriam Parkinson DATE: 5/6/2020  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 11865 Loretto Sq. Dr. S. FL 32223  
(Street) (City) (State) (Zip Code)  
PHONE: 904 514-4145  
(Area Code) (Phone Number)

REPRESENTING: Neighborhood  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD-21-04, E-21-16 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐  
(Check if to support)

I OPPOSE THIS APPLICATION ☒  
(Check if to opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_  
\_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

160

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Karen Droege DATE: 5.6.21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 1826 Long Cypress Ct VAX FL 32223  
(Street) (City) (State) (Zip Code)  
PHONE: (314) 393-4396  
(Area Code) (Phone Number)

REPRESENTING: Self  
(Example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER WLD 21-04, E-21-16 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☐ NO  
(Check if to support)

I OPPOSE THIS APPLICATION ☒  
(Check if to opposition)

2. COMMENTS FROM THE PUBLIC: Proposed change is not appropriate or safe for the neighborhood. A bar open til 2 am will endanger residents & lead to degradation of property values. My family has been

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

will endanger residents & lead to degradation of property values. My family has been  
2021-374  
ON FILE  
Page 69 of 827 (over)

161

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Jack Deneshae III DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 2060 Herd St Jacksonville FL 32204  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 232-0314  
(Area Code) (Phone Number)

REPRESENTING: \_\_\_\_\_  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: 3  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☒ I OPPOSE THIS APPLICATION ☐  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_  
\_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ➡ ➡ ➡ ➡

Duplicate

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Ranzy Bakkar DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 320 N 1st Street TaxBch FL 32250  
(Street) (City) (State) (Zip Code)  
PHONE: (904) 270-1970  
(Area Code) (Phone Number)

REPRESENTING: Property Owner  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E21-16 PAGE NUMBER: \_\_\_\_\_  
(E-77-777 THIS NUMBER MUST FILLED IN)

I SUPPORT THIS APPLICATION ☒ I OPPOSE THIS APPLICATION ☐  
(Check if in support) (Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_  
\_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD ➡ ➡ ➡ ➡

2021-374  
ON FILE

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Hyman Duggan DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 1301 Riverside St 1500  
(Street) (City) (State) (Zip Code)  
PHONE: ( )  
(area code) (Phone Number)

REPRESENTING: Time Out Sports Mandarins  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16/WLD-21-04 PAGE NUMBER: 3  
(A-71-277 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☒  
(Check if in support)

I OPPOSE THIS APPLICATION ☐  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → → →

# Jacksonville Planning Commission

## SPEAKER'S REQUEST TO BE HEARD CARD

Please print and complete item 1 below for Board/Committee Public Hearing  
or item 2 below for Public Comments Section of Board/Committee Agenda:

NAME: Jeanine Rozinski DATE: 5/6/21  
(First Name) (Last Name) (Month/Day/Year)  
ADDRESS: 3003 Perry Rd FLA. 12 32057  
(Street) (City) (State) (Zip Code)  
PHONE: 904-291-9577  
(area code) (Phone Number)

REPRESENTING: Time Out  
(example: Client / Organization / Business / Company / Yourself)

1. APPLICATION NUMBER E-21-16 PAGE NUMBER: 3  
(A-71-277 THIS NUMBER MUST BE FILLED IN)

I SUPPORT THIS APPLICATION ☒  
(Check if in support)

I OPPOSE THIS APPLICATION ☐  
(Check if in opposition)

2. COMMENTS FROM THE PUBLIC: \_\_\_\_\_

SPEAKING TIME IS LIMITED TO THREE (3) MINUTES PER SPEAKER

PLEASE READ THE RULES ON THE REVERSE SIDE OF THIS CARD → → 2021-374 →

ON FILE

Page 71 of 327

BEFORE THE PLANNING COMMISSION  
OF THE CITY OF JACKSONVILLE

APPLICATION NO: E-21-16

IN RE: the Zoning Exception Application of

**TIME OUT SPORTS GRILL MANDARIN, LLC**

**ORDER APPROVING APPLICATION FOR ZONING EXCEPTION E-21-16  
WITH CONDITIONS**

This matter came to be heard upon the Application for Zoning Exception filed by NE Florida Capital Group, LLC, the owner of certain real property located at 10140 San Jose Boulevard, RE #148791-0000, on behalf of Time Out Sports Grill Mandarin, LLC, seeking to allow the retail sales and service of all alcoholic beverages in conjunction with the service of food with outside seating, in the CCG-1 Zoning District.

Having duly considered both the testimonial and documentary evidence presented at the public hearings on April 22, 2021 and May 6, 2021, including the Report of the Planning and Development Department on Application for Zoning Exception E-21-16 and all attachments thereto ("Staff Report") and the Revised Site Plan dated April 21, 2021, a copy of which is attached hereto as **Exhibit "A"**, the Planning Commission of the City of Jacksonville hereby adopts and incorporates herein the recommendations of the Staff Report, and,

**FINDS AND DETERMINES:**

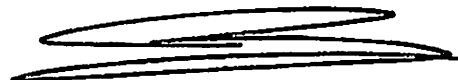
1. That the applicant has complied with all application requirements set forth in Section 656.131 of the Zoning Code;
2. That substantial competent evidence demonstrates that application E-21-16 meets, to the extent applicable, the standards and criteria set forth in Section 656.131(c) of the Zoning Code; and
3. That the land which is subject of this exception application E-21-16 is owned by NE Florida Capital Group, LLC. A copy of the legal description of the subject property is attached as part of **Exhibit "A"** and incorporated herein by reference.

**NOW THEREFORE**, it is **ORDERED** by the Planning Commission:

1. Application E-21-16 is hereby **APPROVED** and a zoning exception is hereby granted to Time Out Sports Grill Mandarin, LLC, allowing the retail sales and service of all alcoholic beverages in conjunction with the service of food with outside seating, on the subject property as proposed in the Revised Site Plan dated April 21, 2021.

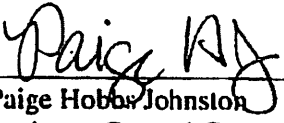
2. In conformity with state licensing requirements, the exception hereby granted shall be personal to the license applicant/holder, non-transferable, and shall not run with the land as provided by Section 656.136(c) of the Zoning Code.
3. The exception herein granted is subject to the following condition:
  - a. Development of the property shall be subject to the Revised Site Plan dated April 21, 2021; provided however, the outdoor seating area is allowed to incorporate the nature and capacity (intensity) of the original site plan, dated March 17, 2021, submitted with the application. See for illustration purposes Second Revised Site Plan dated May 6, 2021.
  - b. An additional section of fencing shall be installed along Haley Road at the access locations as shown on the illustrations in the Second Revised Site Plan dated May 6, 2021. The fence shall be made of wood or vinyl and be 100% opaque, and six feet in height.
  - c. Directional signage on Haley Road at the property access point shall be installed subject to the review and approval of the Planning and Development Department.
4. The Exception granted herein shall not be construed as an exemption from any other applicable local, state or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this Exception is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this Exception does not approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.
5. The approval granted herein shall not interfere with or abrogate or annul any easement, covenant or other agreement between any parties. In the event that the provisions of this Order impose a greater restriction upon the use, structures or development of the property than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this Order shall control.

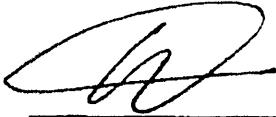
Executed this 6th day of May, 2021.



Joshua Garrison  
Chairman, Planning Commission

FORM APPROVED:

  
Paige Hobbs Johnston  
Assistant General Counsel

  
David Hacker  
Secretary, Planning Commission

Copies to:

Matt Harris  
9446 Silhouette Lane  
Jacksonville, FL 32257  
*Applicant/Agent*

Wyman Duggan, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Blvd.  
Suite 1500  
Jacksonville, Florida 32207

Ramzy Bukkar  
P.O. Box 50910  
Jacksonville Beach, FL 32240  
*Owner*

**NOTICE: This Order does not become final until the expiration of the twenty-one (21) day appeal period provided in the Zoning Code. Any work commenced during this appeal period is done at the risk of the applicant, and a building permit will only be issued after an Acknowledgement of the appeal period has been obtained from the Zoning Counter and returned to same executed properly by the applicant(s) or their agent(s).**

GC-#1431371-v2-Order\_on\_E-21-16.AC 5-6-21.docx



**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

**APPLICATION FOR ZONING EXCEPTION E-21-16**

**APRIL 22, 2021**

**Location:** 10140 San Jose Boulevard  
Corner of San Jose Boulevard and Haley Road

**Real Estate Number:** 148791-0000

**Zoning Exception Sought:** Retail sales and service of all alcoholic beverages in conjunction with the service of food w/ outside seating.

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

**Current Land Use Category:** Community General Commercial (CGC)

**Planning District:** Southeast, District 3

**Applicant/Agent:** Matt Harris  
9446 Silhouette Lane  
Jacksonville, FL 32257

**Owner:** Ramzy Bakkar  
P.O. Box 50910  
Jacksonville Beach, FL 32240

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

**GENERAL INFORMATION**

Application for Zoning Exception E-21-16 seeks to allow for the retail sales and service of all alcoholic beverages in conjunction with the service of food with outside seating within the Commercial Community General-1 (CCG-1) zoning district. The subject property is approximately 0.91± acres and is currently developed with a 5,085 square foot single-story commercial structure originally built in 1981. The property was previously operated as the Village Inn restaurant but the business closed and has remained vacant since 2016. The applicant intends to renovate the existing structure to operate Time Out Sports Grill Mandarin restaurant with outside seating. The restaurant will include a total of 177 seats with 131 inside seats and 46 outside seating and a total of 81 off-street parking spaces. Previous Zoning Exception applications within the immediate area have previously been approved including the Blue Bamboo Restaurant located just north of the subject property at 10110 San Jose Boulevard. Approved Zoning Exception applications include: E-19-37 & E-20-38.

This application has a companion Waiver of Liquor Distance (WLD-21-04) which seeks to reduce the required minimum distance between the proposed use and Chabad Lubavitch of NE FLA at 10129 Haley Road from 500 feet to 110 feet. The church is adjacent to the subject property but is separated by a 4 foot tall concrete wall. The Planning and Development Department is recommending that WLD-21-04 be approved.

### **DEFINITION**

According to Section 656.1601 of the Zoning Code, *exception* means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permissible in the zoning district as exceptions if specific provision for the exception is made in the Zoning Code and the uses are found by the Commission to be in conformity with the standards and criteria for granting the same contained in Section 656.131(c) thereof.

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

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

***(i) Will the proposed use be consistent with the Comprehensive Plan?***

Yes. The request is for an exception for the retail sales and service of all alcoholic beverages in conjunction with the service of food with outside seating within the Commercial Community General-1 (CCG-1) zoning district of the Community General Commercial (CGC) functional land use category.

The site is located in the CGC land use category of the Urban Development Area. The proposed exception of a restaurant with outside sales and service is consistent with the CGC land use category. Community/General Commercial in the Urban Area is intended to provide compact development, which should generally be developed in nodal and corridor development patterns while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Principal uses include, but are not limited to, Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; and Offices, Business and Professional Offices including veterinary offices. The proposed use is also compatible with the following goals, policies, and objectives of the 2030 Comprehensive Plan:

**Future Land Use Element (FLUE):**

**Objective 1.1**

Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

*The proposed exception to allow for the retail sales and service of all alcoholic beverages in conjunction with the service of food with outside seating in zoning district CCG-1 will not contribute to urban sprawl by allowing a use that has already existed within the surrounding area.*

**Policy 1.2.9**

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

*The proposed site is located within the Urban Area and will be served by both centralized Water and Sewer. The proposed use will be in compliance with Policy 1.2.9.*

**Goal 3**

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

*The subject property is located in the center of an area designated for commercial uses and is surrounded by complementary zoning districts. The approval of this exception will not create a use out of character for the area and will not hinder the character of the City's neighborhoods or residential areas.*

**Airport Environment Zone**

The site is located within the 300 foot Height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of less than 300', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d). See Objective 2.5 of the Future Land Use Element below:

**Objective 2.5**

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

- (ii) *Will the proposed use be compatible with the existing contiguous uses or zoning and compatible with the general character of the area, considering population density, design, scale, and orientation of structures to the area, property values, and existing similar uses or zoning?*

Yes. The retail sale and service of all alcoholic beverages in conjunction with a restaurant is compatible with the adjacent and surrounding commercial uses along San Jose Blvd serving the surrounding commercial activity and residential communities. Contiguous land use categories, zoning districts and property uses are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	CCG-1	Fast Food Restaurant
South	LDR	RLD-90	Single Family Dwellings
East	CGC	CCG-1	Convenience Store/ Gas Station
West	LDR	RR-Acre	Church

- (iii) *Will the proposed use have an environmental impact inconsistent with the health, safety, and welfare of the community?*

No. The proposed use is unlikely to have any environmental impact inconsistent with the health, safety, or welfare of the community. The proposed use of a restaurant has already existed at this location for several years prior without any apparent negative environmental effects.

- (iv) *Will the proposed use have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the creation or generation of traffic inconsistent with the health, safety, and welfare of the community?*

No. The proposed use is unlikely to cause any additional increases in traffic over what is already present for the surrounding area or what was created by the previously operating restaurant at this location. The property will have adequate off street parking spaces provided on site including a total of 81 spaces. The retail sales of alcoholic beverages in conjunction with a restaurant will not result in the creation or generation of traffic inconsistent with the health, safety and welfare of the community.

- (v) *Will the proposed use have a detrimental effect on the future development of contiguous properties or the general area?*

No. The proposed exception will not have a detrimental effect on the future development of the surrounding area. The surrounding properties are already developed with viable commercial shopping centers and office uses.

- (vi) *Will the proposed use result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses or zoning in the vicinity?*

No. The retail sales and service of all alcoholic beverages in conjunction with the service of food with outside seating will not result in the creation of objectionable or excessive noise, vibrations, fumes, odors, dust, or physical activities inconsistent with the existing surrounding development. The applicant explains in the applications that the restaurant during the week will close at 9:00P.M. except for the weekends. Additionally managers will control the volume and will keep within an appropriate level for the surrounding area.

- (vii) *Will the proposed use overburden existing public services and facilities?*

No. The proposed use is not likely to overburden exiting public services and facilities.

- (viii) *Will the site be sufficiently accessible to permit entry onto the property for fire, police, rescue and other services?*

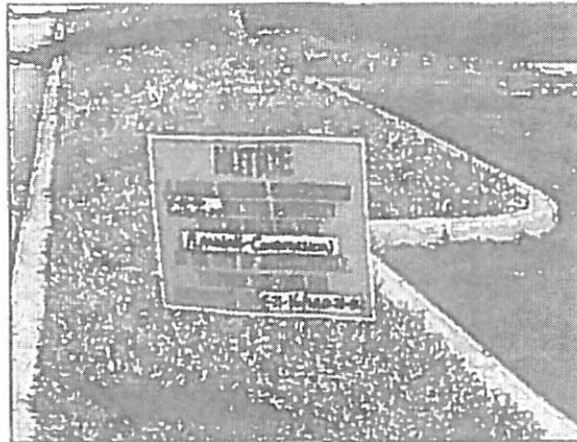
Yes. The site will be sufficiently accessible to emergency services via San Jose Boulevard and Haley Road, which intersect in front of the building where the proposed use will be located.

- (ix) *Will the proposed use be consistent with the definition of a zoning exception, and will meet the standards and criteria of the zoning classification in which such use is proposed to be located, and all other requirements for such use set forth elsewhere in the Zoning Code, or otherwise adopted by the Planning Commission?*

Yes. According to Section 656.1601 of the Zoning Code, exception means a "use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare." As more fully set forth in the foregoing findings and conclusions, the proposed use is consistent with the definition of a zoning exception. The establishment is located in a commercial area at a location that is suitable for this type of establishment and will promote the commercial viability of the surrounding area by contributing another commercial destination point to the area.

### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on April 6, 2021, by the Planning and Development Department, the Notice of Public Hearing signs were posted.



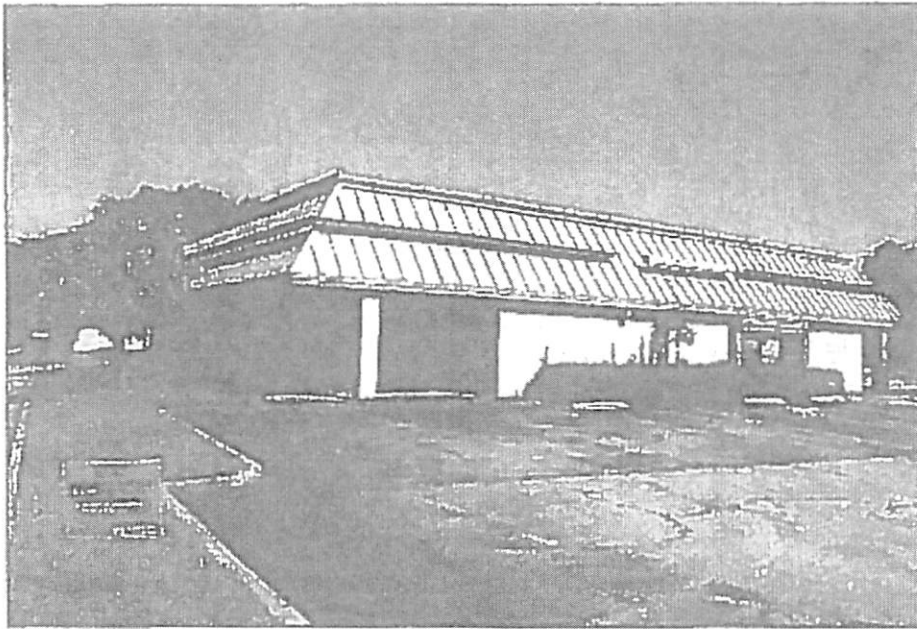
### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Zoning Exception E-21-16 be **APPROVED**



Aerial View

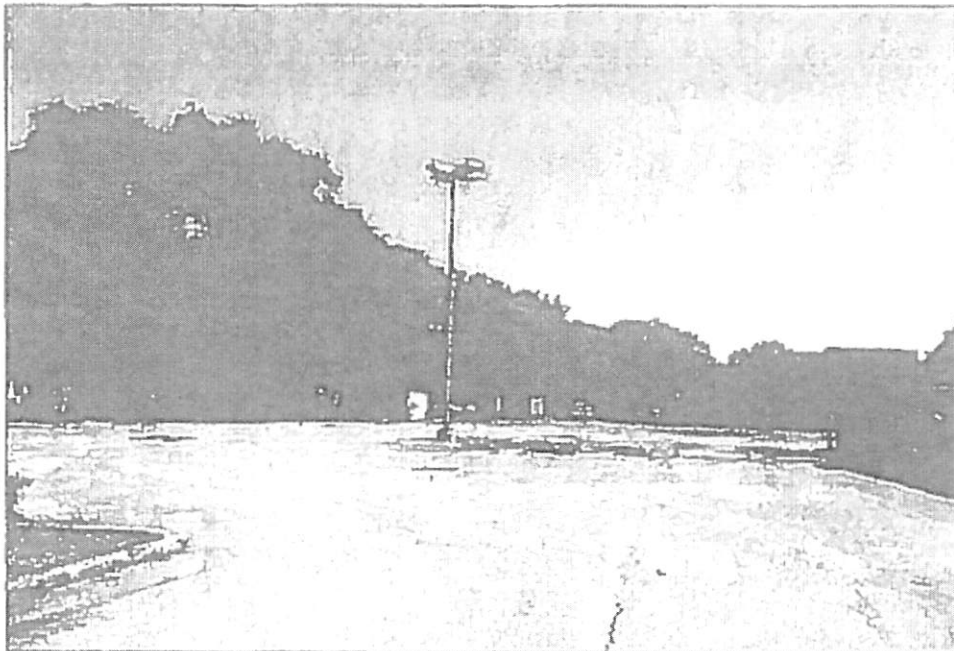
Source: JaxGIS



**View of Subject Property**

*Source: City of Jacksonville Planning & Development Department*

*Date: April 6, 2021*

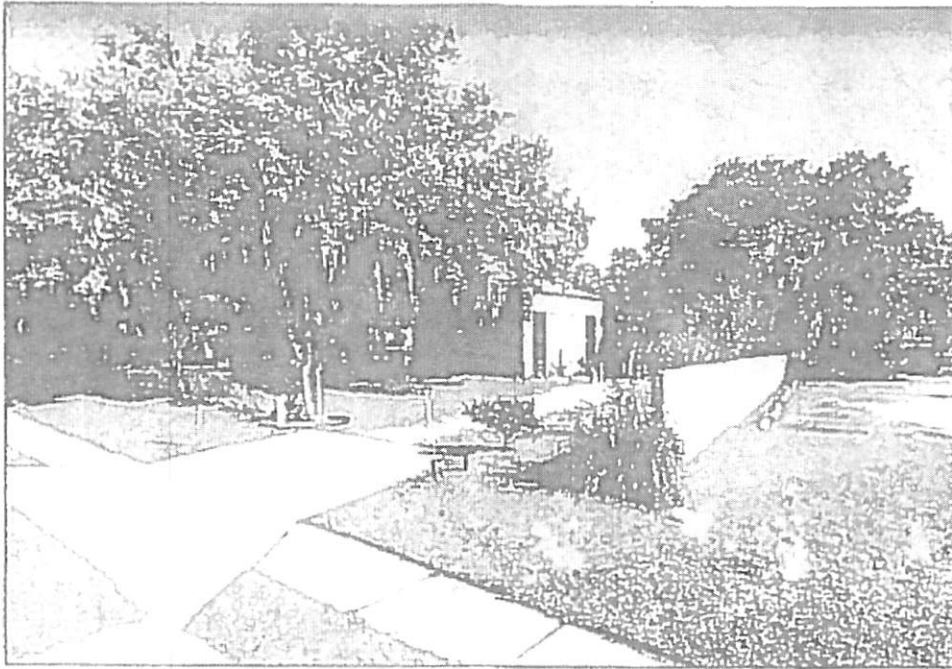


**View of Subject Property**

*Source: City of Jacksonville Planning & Development Department*

*Date: April 6, 2021*

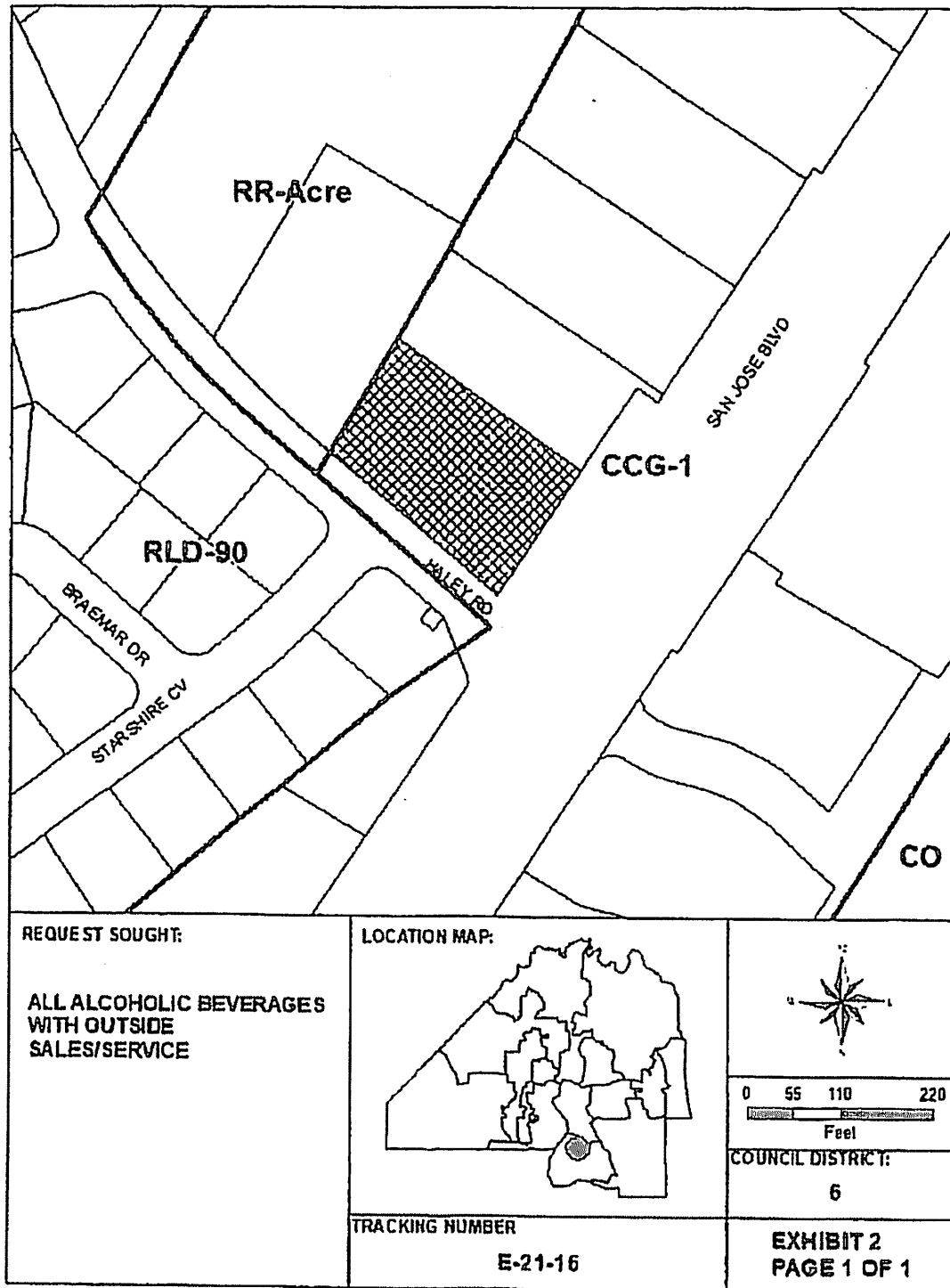




**View of Neighboring Church**

*Source: City of Jacksonville Planning & Development Department  
Date: April 6, 2021*





Source: Legal Map

Date Submitted:	3-18
Date Filed:	3-24

Application Number:	E-21-16
Public Hearing:	4/22/21

## Application for Zoning Exception

City of Jacksonville, Florida  
Planning and Development Department

**COMPANION  
APPLICATION**

WLD-21-04

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

For Official Use Only		
Current Zoning District:	CCG-1	Current Land Use Category:
Exception Sought:	ALL ALCOHOL BEVERAGES w/ OUTSIDE SEATING	Applicable Section of Ordinance Code:
Council District:	6	Planning District:
Previous Zoning Applications Filed (provide application numbers):		
NONE		
Notice of Violation(s):		
Number of Signs to Post:	3	Amount of Fee:
Neighborhood Associations:	Pickwick Park Civic Assoc.	Zoning Asst. Initials:
Overlay:		

PROPERTY INFORMATION	
1. Complete Property Address: 10140 San Jose Blvd. Jacksonville, FL 32257	2. Real Estate Number: 148791-0000
3. Land Area (Acres): .959	4. Date Lot was Recorded: 10/10/1972
5. Property Located Between Streets: (on San Jose) 2 Closest Public Streets: Haley Rd & Starshire CV	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>
7. Current Property Use: CCG-1	
8. Exception Sought: Liquor Variance & Outside Seating	
9. In whose name will the Exception be granted: Time Out Sports Grill Mandarin	

Page 1 of 5

<b>OWNER'S INFORMATION (please attach separate sheet if more than one owner)</b>	
10. Name: Ramzy Bakkar	11. E-mail: rbakkar@bakkargroup.com
12. Address (including city, state, zip): PO Box 50910 Jacksonville Beach, FL 32240	13. Preferred Telephone: 904-270-1970

<b>APPLICANT'S INFORMATION (if different from owner)</b>	
14. Name: Matt Harris	15. E-mail: mattjharris12@gmail.com
16. Address (including city, state, zip): 9446 Silhouette Lane Jacksonville, FL 32257	17. Preferred Telephone: 205-737-5165

<b>CRITERIA</b>
<p>Section 656.101(i), Ordinance Code, defines an exception as "a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to the number, area, location or relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare."</p> <p>Section 656.131(c), Ordinance Code, provides that, with respect to action upon Applications for Zoning Exceptions, the Planning Commission may grant the exception if it finds from a preponderance of the evidence of record presented at the public hearing that the proposed use meets, to the extent applicable, the following standards and criteria:</p> <ul style="list-style-type: none"> <li>(i) Will be consistent with the Comprehensive Plan, including any subsequent plan adopted by the Council pursuant thereto;</li> <li>(ii) Will be compatible with the existing contiguous uses or zoning and compatible with the general character of the area considering population, density, design, scale, and orientation of the structures to the area, property values and existing similar uses;</li> <li>(iii) Will not have an environmental impact inconsistent with the health, safety and welfare of the community;</li> <li>(iv) Will not have a detrimental effect on vehicular or pedestrian traffic or parking conditions, and will not result in the generation or creation of traffic inconsistent with health, safety and welfare of the community;</li> <li>(v) Will not have a detrimental effect on the future development of contiguous properties or the general area, according to the Comprehensive Plan, including any subsequent plan adopted by the Council pursuant thereto;</li> <li>(vi) Will not result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities taking into account existing uses or zoning in the vicinity;</li> <li>(vii) Will not overburden existing public services and facilities;</li> <li>(viii) Will be sufficiently accessible to permit entry onto the property by fire, police, rescue and</li> </ul>

Page 2 of 5

- other services; and*
- (ix) Will be consistent with the definition of an exception, the standards and criteria of the zoning classification in which such use is proposed to be located and all other requirements for such particular use set for elsewhere in the Zoning Code (Chapter 656, Ordinance Code) or as otherwise adopted by the Planning Commission.*

18. Given the above definition of an "exception" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the request is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the exception and to meet the criteria set forth may result in a denial.

# **TIME OUT SPORTS GRILL MANDARIN, LLC**

10140 San Jose Blvd.  
Jacksonville, Florida 32257

---

Phone (205-737-5165) Fax (904) 367-0250

## **Question 18**

The review of this application is explicitly clear by the layout of the meaning of exception. Our goal is to be allowed outside dining for any customer that prefers to dine outside due to COVID 19, and to have the liquor variance granted to be able to sell liquor in the restaurant. Section 656.101(i) allows for an exception when a use that would not be appropriate generally or without restriction throughout the zoning district but if controlled as to the number, area, location or relation to the neighborhood could promote public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare, and that is exactly what is going to happen if this exception is granted.

Further, this restaurant is what Mandarin needs, it will bring families together as a place to watch sports while our restaurant will be consistent with the Comprehensive Plan, and all such guidelines will be followed. The Mandarin area is lacking a family style sports bar that serves alcohol in a safe, friendly atmosphere. We are estimating nearly a \$1,000,000 in renovations for this restaurant so we can produce a nice, fun, family atmosphere to give the people of Mandarin what they deserve. The building will have garage doors, a patio, numerous TV's, and an area for kids including but not limited to a Blitz machine. It is without question we will be compatible with the general character of the area, and this restaurant will increase property values in the area. The patio alone will give customers a chance to sit outside as its fenced in and will have an overhang. Time Out Sports Grill and Blue Bamboo are the types of restaurants that the people in Mandarin want and are asking for. All the time people ask me when are you opening in Mandarin? They will continue with statements such as "there's nothing to do, or we eat at the same 3 restaurants." Furthermore, Time Out Sports Grill will just continue the positive momentum of encouraging businesses to open in the Mandarin area, but we would like to have a patio and be able to serve liquor so we may operate to our full potential while conducting a safe and friendly atmosphere for customers.

In addition, there will not be any environmental impact inconsistent with the health, safety and welfare of the community. Although, we want to encourage health and safety in the community as youth sports is one of core values. We have a large parking lot in this location, and we are already proposing a plan to host a youth 3 on 3 basketball tournament in the parking lot benefiting the Boys and Girls Club. The goal is to keep kids on the court and off the streets, and promoting a healthy lifestyle with friendly competition can greatly assist with that. Furthermore, the health, safety, and welfare, of members of the community is something we truly value.

I went ahead and took the initiative to reach out to all 4 churches and synagogues in the area, and we did find an issue. Rabbi Fisch of Etz Chaim was very concerned about congregants walking to synagogue on Friday nights. After a wonderful conversation with the team, we agreed to personally pay for a security guard to walk congregants and members of the community across the street every Friday night. The Rabbi was thrilled! He couldn't believe it, but we're happy to do it! Therefore, it is clear we will actually make it safer for vehicular and pedestrian traffic.

Moreover, noise will not be an issue as we will not even be open passed 9:00 P.M. except for on weekends, and majority of community members that watch football will be during the day. Plus only managers control the volume and they know what is an appropriate level. In addition, we will not over burden existing public services and facilities, and the premises will be sufficiently accessible to permit entry onto the property by fire, police, rescue and other services.

Now it is clear that we have gone above and beyond to suffice the criteria for an exception, and we respectfully request such to be granted. If anyone has any issues with the outside dining please see Exhibit C the Site Plan and Exhibit D the Floor Plan. We are investing a lot of money in this building to provide the most up-to-date building and experience for our customers. This in turn will only increase the health, safety, and well-being for our customers. In addition, I will be adding at least 50 jobs on day 1! Although, we do not want to limit ourselves so we would like to be able to serve liquor and have a patio for when the weather permits. Furthermore, we feel we have done everything possible to have the liquor variance and outside dining approved, but if anyone has any further suggestions, we would love to hear about them.

## ATTACHMENTS

The following attachments must accompany each copy of the application.

- ☐ Survey
- ☐ Site Plan – two (2) copies on 8 1/2 x 11 and two (2) copies on 11 x 17 or larger
- ☐ Property Ownership Affidavit (Exhibit A)
- ☐ Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- ☐ Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
- ☐ Proof of property ownership – may be print-out of property appraiser record card if individual owner, [http://apps.col.net/pao\\_propertySearch/Basic/Search.aspx](http://apps.col.net/pao_propertySearch/Basic/Search.aspx), or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>.
- ☐ Letter from the Department of Children and Family Services (DCFS) – day care uses only
- ☐ Advisory opinion letter from the Environmental Quality Division (EQD) – if required

## FILING FEES

\*Applications filed to correct existing zoning violations are subject to a double fee.

<u>Base Fee</u>	<u>Public Notices</u>	<u>Advertisement</u>
Residential Districts: \$1,161.00	\$7.00 per Addressee	Billed directly to owner/agent
Non-residential Districts: \$1,173.00		

## AUTHORIZATION

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

I hereby certify that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

Owner(s)

Print name: \_\_\_\_\_

Signature: \_\_\_\_\_

Applicant or Agent (if different than owner)

Print name: Matt Harris

Signature: Matt Harris

Owner(s)

Print name: \_\_\_\_\_

Signature: \_\_\_\_\_

*"An agent authorization letter is required if the application is made by any person other than the property owner."*

## SUBMITTAL

This application must be typed or printed in ink and submitted along with three (3) copies for a total of four (4) applications. Each application must include all required attachments.

Submit applications to:

Planning and Development Department, Zoning Section

214 North Hogan Street, 2<sup>nd</sup> Floor

Jacksonville, Florida 32202

(904) 255-8300





March 17, 2021

To Whom It May Concern:

This is to certify that NE Florida Capital Group, LLC gives its permission to Matthew Harris, Manager of Time Out Sports Grill Mandarin, LLC (and its agents or assigned) to obtain information and sign documents necessary to obtain permits for 10140 San Jose Blvd., Jacksonville, FL 32257.

Sincerely,

Ramzy Bakkar  
Manager

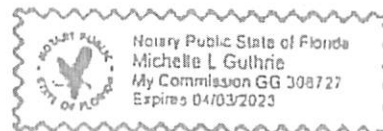
Signed, sealed and delivered  
in the presence of:

STATE OF Florida  
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of March, 2021 by Ramzy Bakkar.

Michelle L. Gulhrich  
Notary Public, State and County aforesaid  
My commission expires: 4/3/2023  
Commission No.: GG-308727

☒ He/She: (please check appropriate statement)  
\_\_\_\_\_ is personally known to me  
\_\_\_\_\_ produced identification (specify type)  
\_\_\_\_\_



March 18, 2021

## **EXHIBIT "E"**

### **LEGAL DESCRIPTION**

THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 2, SECTION 31, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF HALEY ROAD, A 60 FOOT RIGHT-OF-WAY WITH THE LINE DIVIDING SAID SECTION 31 AND THE PRUDENCE PLUMMER GRANT, SECTION 41, TOWNSHIP 3 SOUTH, RANGE 27 EAST; THENCE NORTH 30° 14' 54" EAST, ALONG SAID LINE DIVIDING SECTION 31 AND SAID PRUDENCE PLUMMER GRANT, 150 FEET; THENCE SOUTH 55° 14' 28" EAST, 262.41 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF SAN JOSE BOULEVARD (STATE ROAD NO. 13); THENCE SOUTH 33° 47' 16" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY 175 FEET TO A POINT IN SAID NORTH EASTERLY RIGHT-OF-WAY LINE OF HALEY ROAD; THENCE NORTH 49° 30' 44" WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LIEN, 254.85 FEET TO THE POINT OF BEGINNING. CONTAINING 41,767 SQUARE FEET MORE OR LESS OR 0.96 ACRES MORE OR LESS.

**EXHIBIT A**

**Property Ownership Affidavit – Limited Liability Company (LLC)**

Date: 3/19/2021

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300,  
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: 10140 San Jose Blvd RE#: 148791-0000

To Whom it May Concern:

I, Ramzy Bakkar, as manager of  
NE Florida Capital Group, LLC, a Limited Liability Company organized under the laws of the  
state of Florida, hereby certify that said LLC is the Owner of the property described in Exhibit  
1 in connection with filing application(s) for Wine & Minimum Distance  
Requirement for Liquor License submitted to the Jacksonville  
Planning and Development Department.

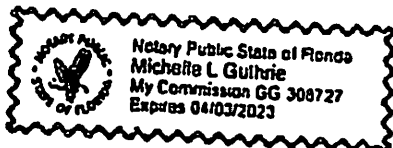
(signature) Ramzy Bakkar manager

(print name) Ramzy Bakkar

Please provide documentation illustrating that signatory is an authorized representative of the LLC. This may be shown through a printout from sunbiz.org showing that the person is either a "sole member" or a "managing member." Other persons may be authorized through a resolution, power of attorney, etc.

STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 19th day of  
March 2021 by Ramzy Bakkar, as  
Manager of NE Florida Capital Group LLC a Limited Liability  
Company, who is personally known to me or who has produced  
as identification and who took an oath.



Michelle L. Guthrie  
(Signature of NOTARY PUBLIC)

Michelle L. Guthrie  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: 4/3/2023

EXHIBIT B

Agent Authorization – Limited Liability Company (LLC)

Date: 3/19/2021

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300,  
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location in Jacksonville, Florida:

Address: 10140 San Jose Blvd RE#(s): 148791

To Whom It May Concern:

You are hereby advised that Ramzy Bakkar as Manager of NE Florida Capital Group, LLC, a Limited Liability Company organized under the laws of the state of Florida, hereby certify that said LLC is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers Matt Harris and/or Time Out Sports And Recreation, LLC to act as agent to file application(s) for Waiver of Minimum Distance Requirement for Ly LLC for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

(signature) Ramzy Bakkar Manager

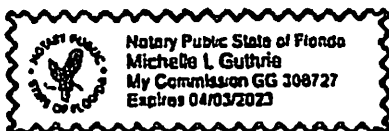
(print name) Ramzy Bakkar

STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 19th day of March 2021, by Ramzy Bakkar as Manager of NE Florida Capital Group LLC, a Limited Liability Company, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

Michelle L Guthrie  
(Signature of NOTARY PUBLIC)

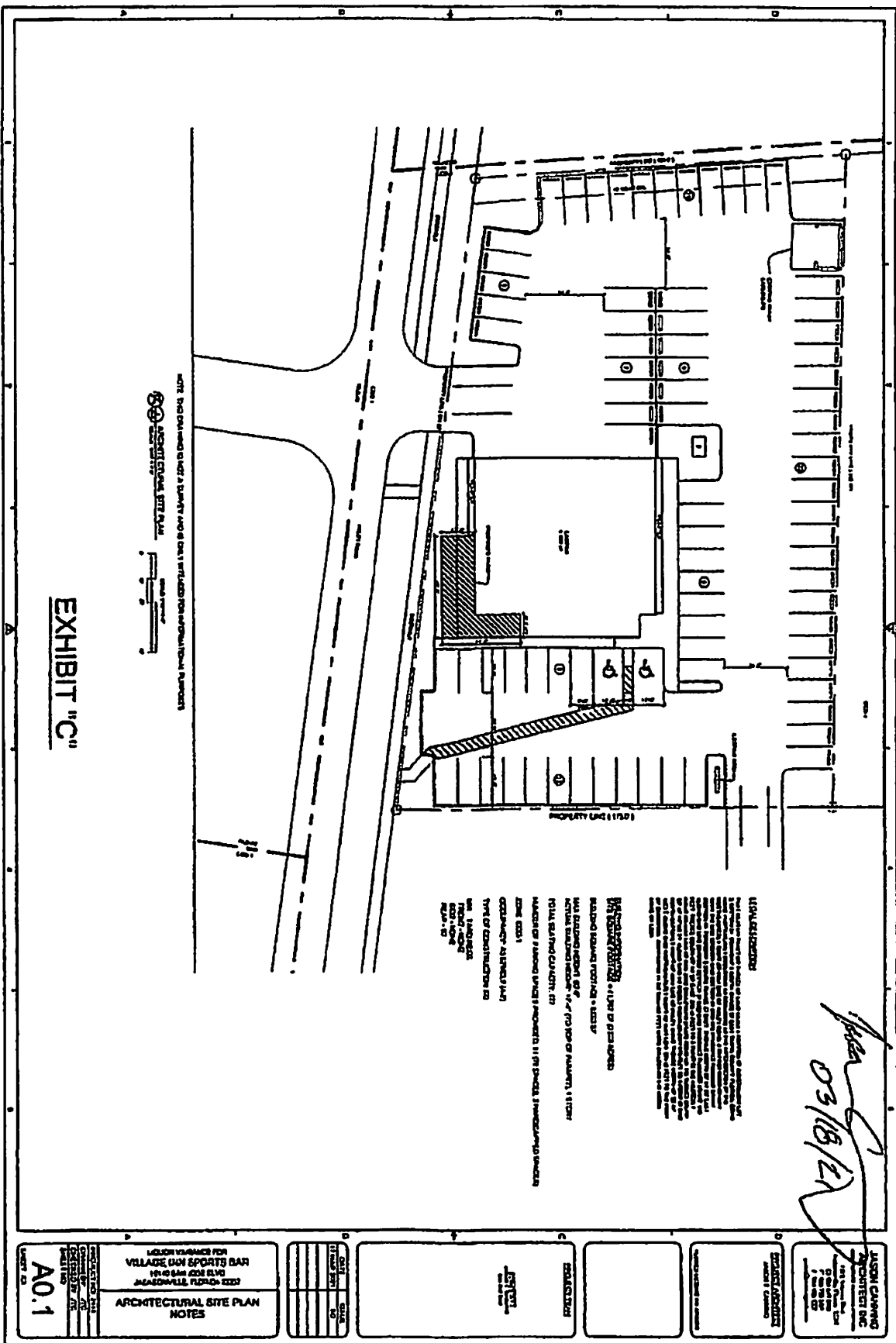
Michelle L Guthrie  
(Printed name of NOTARY PUBLIC)



State of Florida at Large.  
My commission expires: 4/3/2023

[illegible]

## Page 95 of 327





**JASON CANNINO**  
ARCHITECT DPC  
1141 Avenue B  
New York, NY 10009  
Tel: 212-254-1141  
Fax: 212-254-1142  
www.jasoncannino.com

**PROJECT ARCHITECT**  
JASON CANNINO

**CLIENT**  
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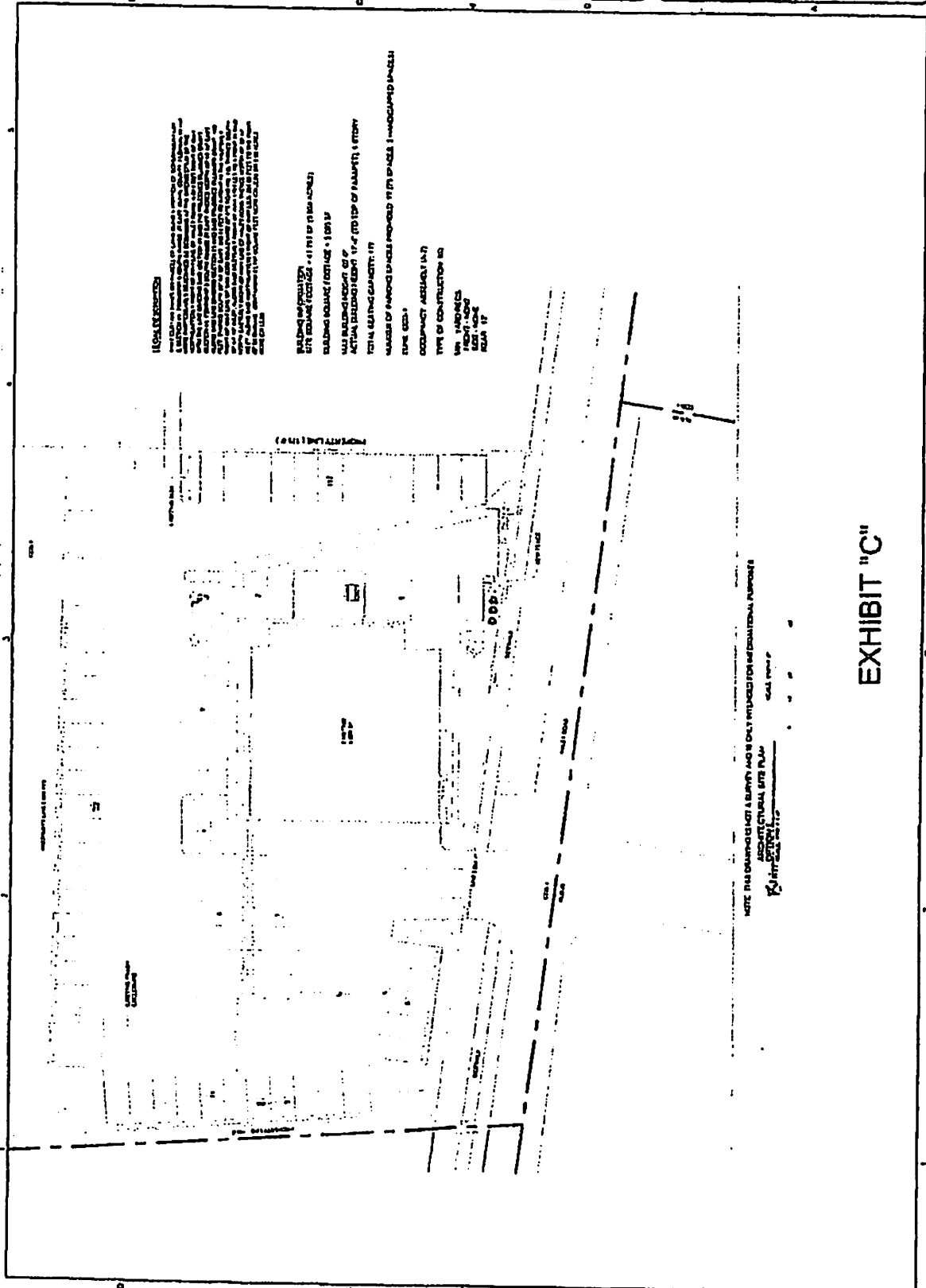
**PROPOSAL**  
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**DATE**  
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**ARCHITECTURAL SITE PLAN**  
OPTION E  
WINDMILL FARM 1277  
VALLEY ROAD BAR  
LOUISIANA 70001

**NOTES**  
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**Scale**  
1" = 20'  
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BEFORE THE PLANNING COMMISSION  
OF THE CITY OF JACKSONVILLE

APPLICATION NO: WLD-21-04

IN RE: The Application for Waiver of Minimum  
Distance Requirements for Liquor License Location

**TIME OUT SPORTS GRILL MANDARIN, LLC**

**ORDER APPROVING APPLICATION FOR WAIVER OF MINIMUM DISTANCE  
REQUIREMENTS FOR LIQUOR LICENSE LOCATION WLD-21-04**

This matter came to be heard upon the Application for Waiver of Minimum Distance Requirements for Liquor License Location WLD-21-04 filed by NE Florida Capital Group, LLC, the owner of certain real property located at 10140 San Jose Boulevard (SR 13), RE#148791-0000, on behalf of Time Out Sports Grill Mandarin, LLC, seeking a waiver to reduce the required minimum distance between liquor license location and house of worship or school from 500 feet to 110 feet, in the CCG-1 Zoning District.

Having duly considered both the testimonial and documentary evidence presented at the public hearing on May 6, 2021, including the Report of the Planning and Development Department on Application for Waiver of Minimum Distance Requirements for Liquor License Location WLD-21-04 and all attachments thereto ("Staff Report"), a copy of which is attached as Exhibit "A", the Planning Commission of the City of Jacksonville hereby adopts and incorporates herein the recommendations of the Staff Report, and,

**FINDS AND DETERMINES:**

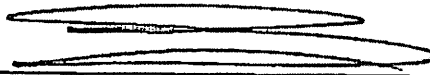
1. That the applicant has complied with all application requirements set forth in Section 656.133 of the Zoning Code.
2. That substantial competent evidence demonstrates that the application WLD-21-04 meets, to the extent applicable, the standards and criteria set forth in Section 656.133(a) of the Zoning Code.
3. The land to which this waiver is granted is owned by NE Florida Capital Group, LLC. A copy of the legal description of the subject property is attached as part of Exhibit "A" and incorporated by reference herein.

**NOW THEREFORE, it is ORDERED** by the Planning Commission:

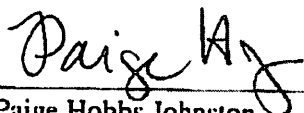
1. A Waiver of Minimum Distance Requirements for Liquor License Location WLD-21-04 is hereby granted to Time Out Sports Grill Mandarin, LLC, thereby reducing the required minimum distance between liquor license location and house of worship or school from 500 feet to 110 feet, in the CCG-1 Zoning District.

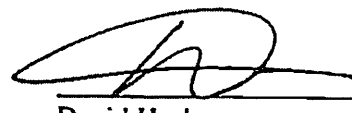
2. In conformity with state licensing requirements, the waiver hereby granted shall be personal to the license applicant/holder, non-transferable, and shall not run with the land as provided by Section 656.136(c) of the Zoning Code.
3. Failure to exercise the waiver herein granted by commencement of the use or action herein approved within one (1) year of the effective date of this order shall render this waiver invalid and all rights arising hereunder shall terminate.
4. The Waiver herein shall not be construed as an exemption from any other applicable local, state or federal laws, regulations, requirements, permits or approvals. All other applicable local, state or federal permits or approvals shall be obtained before commencement of the development or use and issuance of this Waiver is based upon acknowledgement, representation and confirmation made by the applicant(s), owner(s), developer(s) and/or any authorized agent(s) or designee(s) that the subject business, development and/or use will be operated in strict compliance with all laws. Issuance of this Waiver does not approve, promote or condone any practice or act that is prohibited or restricted by any federal, state or local laws.
5. The approval granted herein shall not interfere with or abrogate or annul any easement, covenant or other agreement between any parties. In the event that the provisions of this Order impose a greater restriction upon the use, structures or development of the property than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this Order shall control.

Executed this 6th day of May, 2021.

  
Joshua Garrison  
Chairman, Planning Commission

FORM APPROVED:

  
Paige Hobbs Johnston  
Assistant General Counsel

  
David Hacker  
Secretary, Planning Commission

Copies to:

Matt Harris  
9446 Silhouette Lane  
Jacksonville, FL 32257  
*Applicant/Agent*

Ramzy Bakkar  
P.O. Box 50910  
Jacksonville Beach, FL 32240  
*Owner*

**NOTICE: This Order does not become final until the expiration of the twenty-one (21) day appeal period provided in the Zoning Code. Any work commenced during this appeal period is done at the risk of the applicant, and a building permit will only be issued after an Acknowledgement of the appeal period has been obtained from the Zoning Counter and returned to same executed properly by the applicant(s) or their agent(s).**

GC-#1428068-v1-Order\_on\_WLD-21-04\_A\_5-6-21.docx

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**  
**APPLICATION FOR WAIVER OF MINIMUM DISTANCE REQUIREMENTS**  
**FOR LIQUOR LICENSE LOCATION WLD-21-04**

**APRIL 22, 2021**

***Location:*** 10140 San Jose Boulevard (SR 13)  
Corner of San Jose Boulevard and Haley Road

***Real Estate Number:*** 148791-0000

***Zoning Exception Sought:*** Reduce the required minimum distance between liquor  
license location and house of worship or school from  
500 feet to 110 feet

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

***Current Land Use Category:*** Community/General Commercial (CGC)

***Planning District:*** Southeast, District 3

***Applicant/Agent:*** Matt Harris  
9446 Silhouette Lane  
Jacksonville, FL 32257

***Owner:*** Ramzy Bakkar  
P.O. Box 50910  
Jacksonville Beach, FL 32240

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

**GENERAL INFORMATION**

Application for Waiver of Minimum Distance Requirements for Liquor License Location WLD-21-04 seeks to reduce the required minimum distance between the proposed Time Out Sports Grill Mandarin restaurant located at 10140 San Jose Boulevard and the Chabad Lubavitch of NE FLA at 10129 Haley Road from 500 feet to 110 feet. The request will allow for the retail sales and service of alcohol for on-premises consumption (4COP) w/ outside seating in the CCG-1 Zoning District. Previous Waiver of Liquor Distance applications within the immediate area have previously been approved: WLD-19-17, WLD-20-14.

The applicant has also submitted a companion application to this waiver, Zoning Exception (E-21-16). This application for zoning exception was filed to permit retail sales and service of alcohol for on-premises consumption (4COP) w/ outside seating.

### **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 Planning Commission 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 Planning Commission makes a positive finding based on substantial, competent evidence that the application meets one or more of the following criteria:

- i. *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 surrounding area is comprised of many commercial/retail uses, as well as several restaurants, hence why Planning Commission has approved previous liquor distance waivers for the immediate area. Therefore, the proposed use is of a scale and intensity that complements the other commercial uses within the surrounding area.

- ii. *Is the alcoholic beverage use designed to be an integral part of a mixed planned unit development?*

No. The property is zoned Commercial Community/General-1 (CCG-1) and is developed with a 5,085 square foot single-story commercial structure on approximately 0.91± parcel property.

- iii. *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 Restaurant as defined in Section 656.805?*

No. The proposed use is located on a stand-alone parcel and is the only use within the structure.

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

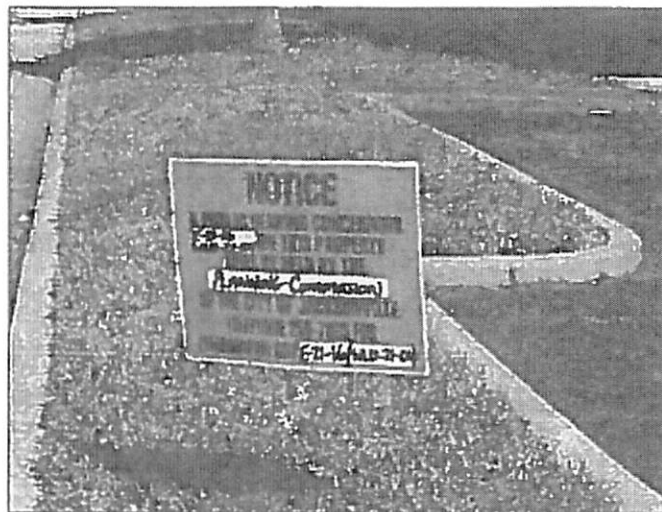
Yes. The proposed establishment is directly visible along the line of measurement defined in Section. 656.806. The properties are adjacent to one another and are separated by a 4 foot concrete wall along the adjoined property line.

- v. *Are there 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 existing liquor license locations within the immediate vicinity and along the San Jose corridor. Application WLD-19-17 was approved for the Blue Bamboo Restaurant, serving all alcohol in conjunction with a restaurant, located just north of the subject property at 10110 San Jose Boulevard. This application sought to reduce the required distance from 500 feet to 115 for the same church Chabad Lubavitch of NE FLA at 10129 Haley Road.

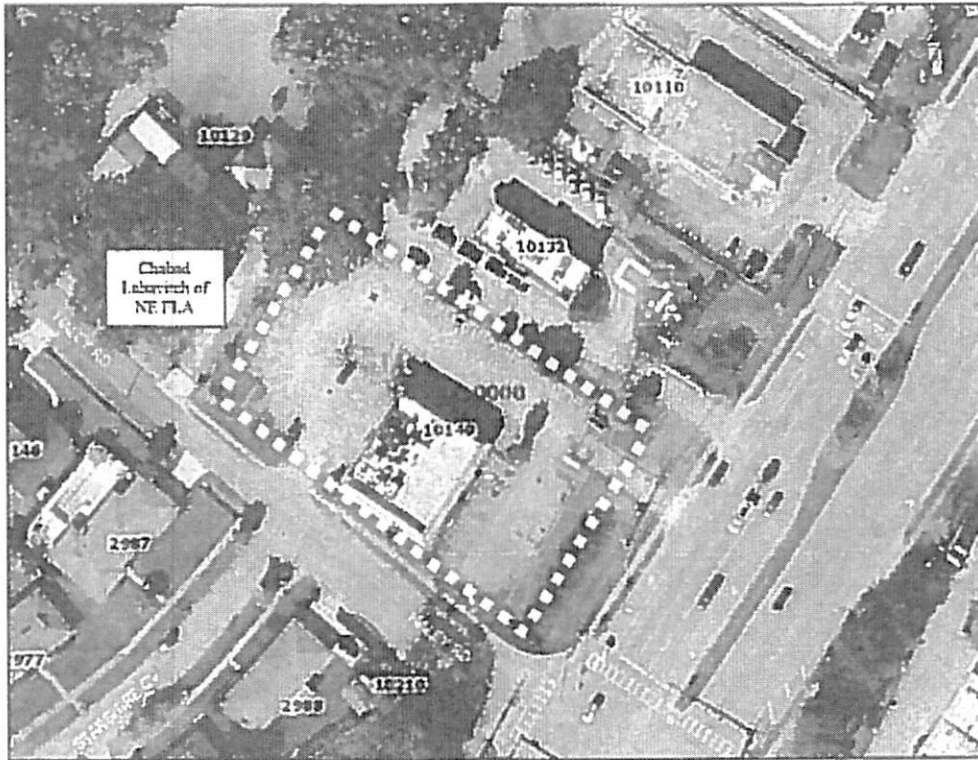
#### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on April 6, 2021, the Planning and Development Department staff observed that the required Notice of Public Hearing signs were 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-21-04 be APPROVED.



**Aerial View**

*Source: JaxGIS*



**View of Subject Property**

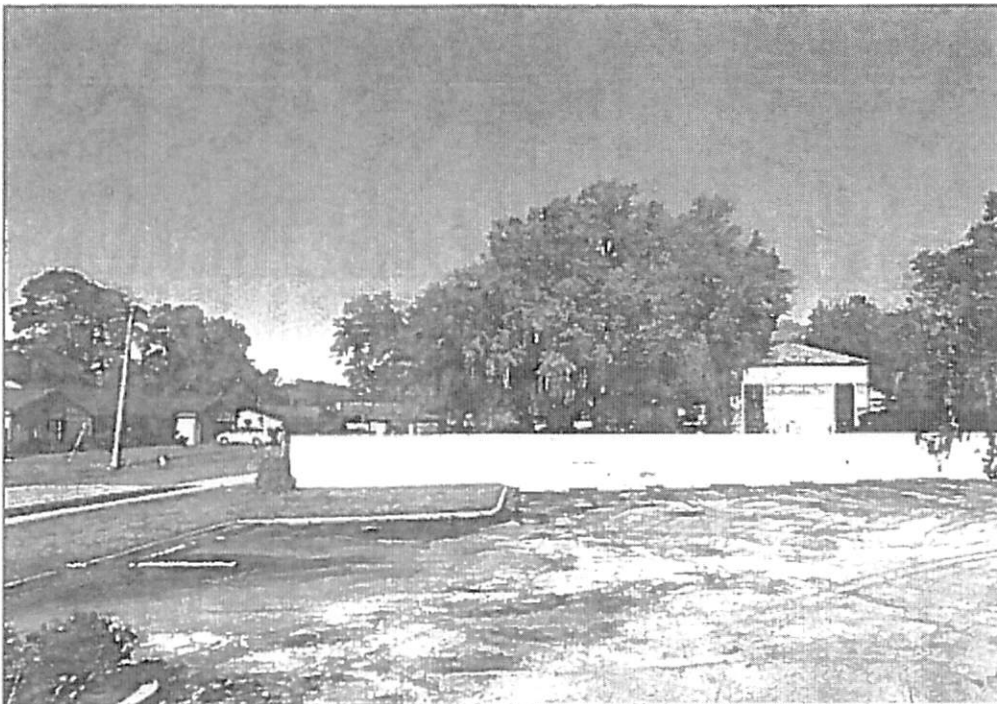
*Source: City of Jacksonville Planning & Development Department  
Date: April 6, 2021*





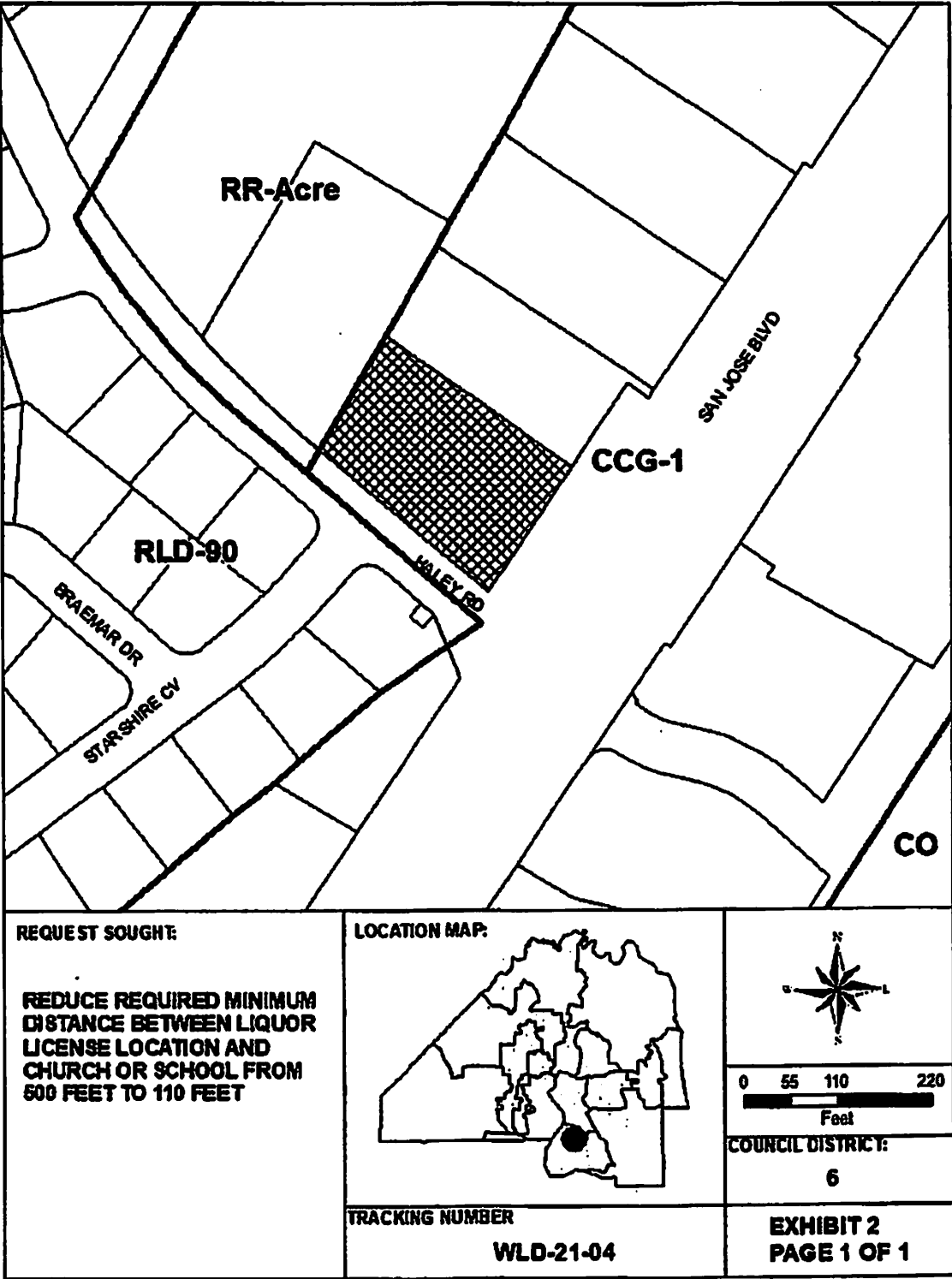
**View of Subject Property**

*Source: City of Jacksonville Planning & Development Department  
Date: April 6, 2021*



**View of Neighboring Church from Subject Property**

*Source: City of Jacksonville Planning & Development Department  
Date: April 6, 2021*



Date Submitted:	3-18
Date Filed:	3-24

Application Number:	NLD-21-04
Public Hearing:	4/22/21

**Application for Waiver of Minimum Distance Requirements for Liquor License Location**  
City of Jacksonville  
Planning and Development Department

**COMPANION APPLICATION** / E-21-16

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

For Official Use Only		
Current Zoning District:	CC6-1	Current Land Use Category:
Council District:	6	Planning District:
Previous Zoning Applications Filed (provide application numbers):		
NONE		
Applicable Section of Ordinance Code:		
656.805(c)		
Notice of Violation(s):		
Neighborhood Associations:		
PICKWICK PARK CIVIC ASSOCIATION		
Overlay:		
Number of Signs to Post:	Amount of Fee:	Zoning Asst. Initials:
3	2,528	EF

PROPERTY INFORMATION	
1. Complete Property Address: 10140 San Jose Blvd. Jacksonville, FL 32257	2. Real Estate Number: 148791-0000
3. Land Area (Acres): .959	4. Date Lot was Recorded: 10/10/1972
5. Property Located Between Streets: San Jose Blvd & Haley Rd	6. Utility Services Provider: City Water / City Sewer <input checked="" type="checkbox"/> Well / Septic <input type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Distance between liquor license location and church or school from 500 feet to 110 feet.	
8. In whose name will the Waiver be granted? Time Out Sports Grill Mandarin	

<b>OWNER'S INFORMATION (please attach separate sheet if more than one owner)</b>	
9. Name: Ramzy Bakkar	10. E-mail: rbakkar@bakkargroup.com
11. Address (including city, state, zip): PO Box 50910 Jacksonville Beach, FL 32240	12. Preferred Telephone: 904-270-1970

<b>APPLICANT'S INFORMATION (if different from owner)</b>	
13. Name: Matt Harris	14. E-mail: mattjharris12@gmail.com
15. Address (including city, state, zip): 9446 Silhouette Lane Jacksonville, FL 32257	16. Preferred Telephone: 205-737-5165

<b>CRITERIA</b>
<p>Section 656.101(l), Ordinance Code, defines a waiver as "a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805, Ordinance Code."</p> <p>Section 656.133(a)1 through 5, Ordinance Code, provides that, with respect to action upon Applications for Waivers, the Planning Commission may grant a waiver for minimum distance requirements from a church or school for a liquor license location, if there exist one or more circumstances which negate the necessity for compliance with the distance requirements, included but not limited to the following:</p> <ol style="list-style-type: none"> <li>1. <i>The commercial activity associated with the alcoholic beverage use is 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;</i></li> <li>2. <i>The alcoholic beverage use is designed to be an integral part of a mixed planned unit development;</i></li> <li>3. <i>The alcoholic beverage use is located within a shopping center with an aggregate gross leasable area of 50,000 square feet or more, inclusive of all outparcels, and meets the definition of a bona-fide restaurant as defined in Section 656.805(c);</i></li> <li>4. <i>The alcoholic beverage use is not directly visible along the line of measurement defined in Section 656.806 and is physically separated from the church or school, thereby negating the distance requirement as a result of the extra travel time; or</i></li> <li>5. <i>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.</i></li> </ol>

17. Given the above definition of a "waiver" and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the request and to meet the criteria set forth may result in a denial.

#### ATTACHMENTS

The following attachments must accompany each copy of the application.

- ☐ Survey
- ☐ Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger
- ☐ Property Ownership Affidavit (Exhibit A)
- ☐ Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- ☐ Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
- ☐ Proof of property ownership – may be print-out of property appraiser record card if individual owner, [http://apps.coj.net/pao\\_propertySearch/Basic/Search.aspx](http://apps.coj.net/pao_propertySearch/Basic/Search.aspx), or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>.

# **TIME OUT SPORTS GRILL MANDARIN, LLC**

10140 San Jose Blvd.  
Jacksonville, Florida 32257

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Phone (205-737-5165) Fax (904) 367-0250

## **Question 17**

It is clear by everybody in the area that the alcoholic beverage will not be directly visible along the line of measurement defined in *Section 656.806*, and will be physically separated from the places of worship in the area. Furthermore, it is also apparent by the definition in number 4 if the criteria above exists then the board must negate the distance requirement.

Per the site survey, 2 synagogues are across the street and if the measurement where from building to building it would be outside the distance requirement, but moreover, it would be nearly impossible for them to see any consumption of alcohol. In addition, at Time Out we are all about family and supporting the community. We have been in contact with every church or synagogue in question and found a solution. After speaking with Rabbi Fisch from Etz Chaim who was concerned about congregants crossing the street on Friday nights. Furthermore, we went back to the drawing board, and we will be paying for a security guard to walk congregants and anyone else in the area for 3-4 hours every Friday night. As you can imagine the Rabbi was thrilled! He couldn't believe it and thanked me repeatedly.

In addition, Chabad, and the Korean Church is located behind the location in question. We already have a fence that runs across the entire back of the restaurant also making it virtually impossible for them to see any consumption of alcohol as the back of the building and a fence is what's facing Chabad and the Korean Church. Moreover, per the plans, we're adding outdoor dining which will also be fenced in. This will allow customers with any COVID concerns to sit outside and the fence will further deter any visibility of such consumption of alcohol.

It is clear that we are going above and beyond to ensure that we comply with the fourth criteria to be granted a waiver for the liquor license, but I also wanted to tell you why I am seeking such a waiver. Mandarin is my home, it's where I'm from, I went away for 10 years, but I'm proud to be apart of this community. At 30 years old, if all goes well, I will have the opportunity to open my second restaurant. Although, the Mandarin area is lacking a true family sports bar. As you know, nearly every sports bar serves liquor as it is a key revenue driver for the operation. Margins made from alcohol allows a restaurant owner to serve more affordable food, as national margins on food are only 30%. Also, a larger issue is limiting an opportunity to serve the customer. When customers come in for football games, we do not want anything to deter their experience. Building a successful sports bar is all about the customers experience, great service, and the restaurant must run perfectly. Everything plays a role in the success of a restaurant.

Moreover, it is a dream of mine to be a successful entrepreneur, and I will keep opening restaurants and bringing jobs the community I love and call home. But I ask you, please grant this waiver so we can get to work!

**FILING FEES**

\*Applications filed to correct existing zoning violations are subject to a double fee.

**Base Fee**

Non-residential Districts: \$1,091.00

**Public Notices**

\$7.00 per Addressee

**Advertisement**

Billed directly to owner/agent

**AUTHORIZATION**

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

I hereby certify that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

**Owner(s)**

Print name: \_\_\_\_\_

Signature: \_\_\_\_\_

**Applicant or Agent (if different than owner)**

Print name: Matt Harris

Signature: Matt Harris

**Owner(s)**

Print name: \_\_\_\_\_

Signature: \_\_\_\_\_

*\*An agent authorization letter is required if the application is made by any person other than the property owner.*

**SUBMITTAL**

This application must be typed or printed in ink and submitted along with three (3) copies for a total of four (4) applications. Each application must include all required attachments.

**Submit applications to:**

Planning and Development Department, Zoning Section  
214 North Hogan Street, 2<sup>nd</sup> Floor  
Jacksonville, Florida 32202  
(904) 255-8300



March 17, 2021

To Whom It May Concern:

This is to certify that NE Florida Capital Group, LLC gives its permission to Matthew Harris, Manager of Time Out Sports Grill Mandarin, LLC (and its agents or assigned) to obtain information and sign documents necessary to obtain permits for 10140 San Jose Blvd., Jacksonville, FL 32257.

Sincerely,

Ramzy Bakkar  
Manager

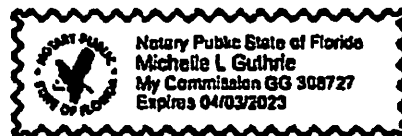
Signed, sealed and delivered  
in the presence of:

STATE OF Florida  
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 17<sup>th</sup> day of March, 2021 by Ramzy Bakkar.

Michelle L. Guthrie  
Notary Public, State and County aforesaid  
My commission expires: 4/3/2023  
Commission No.: 66308727

☒ Hc Shc: (please check appropriate statement)  
\_\_\_\_\_ is personally known to me  
\_\_\_\_\_ produced identification (specify type)  
\_\_\_\_\_





March 18, 2021

## **EXHIBIT "E"**

### **LEGAL DESCRIPTION**

THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PORTION OF GOVERNMENT LOT 2, SECTION 31, TOWNSHIP 3 SOUTH, RANGE 27 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF HALEY ROAD, A 60 FOOT RIGHT-OF-WAY WITH THE LINE DIVIDING SAID SECTION 31 AND THE PRUDENCE PLUMMER GRANT, SECTION 41, TOWNSHIP 3 SOUTH, RANGE 27 EAST; THENCE NORTH 30° 14' 54" EAST, ALONG SAID LINE DIVIDING SECTION 31 AND SAID PRUDENCE PLUMMER GRANT, 150 FEET; THENCE SOUTH 55° 14' 28" EAST, 262.41 FEET TO A POINT IN THE WESTERLY RIGHT-OF-WAY LINE OF SAN JOSE BOULEVARD (STATE ROAD NO. 13); THENCE SOUTH 33° 47' 16" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY 175 FEET TO A POINT IN SAID NORTH EASTERLY RIGHT-OF-WAY LINE OF HALEY ROAD; THENCE NORTH 49° 30' 44" WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LIEN, 254.85 FEET TO THE POINT OF BEGINNING. CONTAINING 41,767 SQUARE FEET MORE OR LESS OR 0.96 ACRES MORE OR LESS.

**EXHIBIT A**

**Property Ownership Affidavit – Limited Liability Company (LLC)**

Date: 3/19/2021

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300,  
Jacksonville, Florida 32202

Re: Property Owner Affidavit for the following site location in Jacksonville, Florida:

Address: 10140 San Jose Blvd RE#: 148791-0000

To Whom it May Concern:

I, Ramzy Bakkar, as manager of  
NE Florida Capital Group, LLC, a Limited Liability Company organized under the laws of the  
state of Florida, hereby certify that said LLC is the Owner of the property described in Exhibit  
1 in connection with filing application(s) for Zoning Exception submitted to the Jacksonville  
Planning and Development Department.

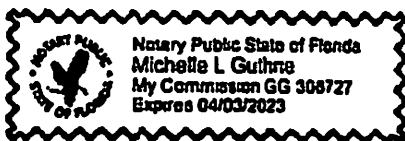
(signature) Ramzy Bakkar manager

(print name) Ramzy Bakkar

Please provide documentation illustrating that signatory is an authorized representative of the LLC. This may be shown through a printout from sunbiz.org showing that the person is either a "sole member" or a "managing member." Other persons may be authorized through a resolution, power of attorney, etc.

STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 19th day of  
March 2021, by Ramzy Bakkar, as  
Manager, of NE Florida Capital Group, LLC, a Limited Liability  
Company, who is personally known to me or who has produced \_\_\_\_\_  
as identification and who took an oath.



Michelle L. Guthrie  
(Signature of NOTARY PUBLIC)

Michelle L. Guthrie  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: 4/3/2023

**EXHIBIT B**

**Agent Authorization – Limited Liability Company (LLC)**

Date: 3/19/2021

City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, Suite 300,  
Jacksonville, Florida 32202

Re: Agent Authorization for the following site location in Jacksonville, Florida:

Address: 10140 San Jose Blvd RE#(s): 148791-0000

To Whom It May Concern:

You are hereby advised that Ramzy Bakkar as Manager of NE Florida Capital Group, LLC, a Limited Liability Company organized under the laws of the state of Florida, hereby certify that said LLC is the Owner of the property described in Exhibit 1. Said owner hereby authorizes and empowers Matt Harris and/or Time Out Sports Grill Mandarin, LLC to act as agent to file application(s) for Zoning Exception for the above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change as submitted to the Jacksonville Planning and Development Department.

(signature) Ramzy Bakkar Manager

(print name) Ramzy Bakkar

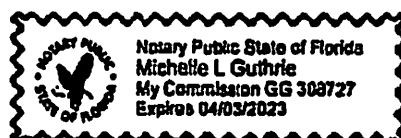
STATE OF FLORIDA  
COUNTY OF DUVAL

Sworn to and subscribed and acknowledged before me this 19th day of March 2021, by Ramzy Bakkar, as Manager, of NE Florida Capital Group LLC, a Limited Liability Company, who is personally known to me or who has produced \_\_\_\_\_ as identification and who took an oath.

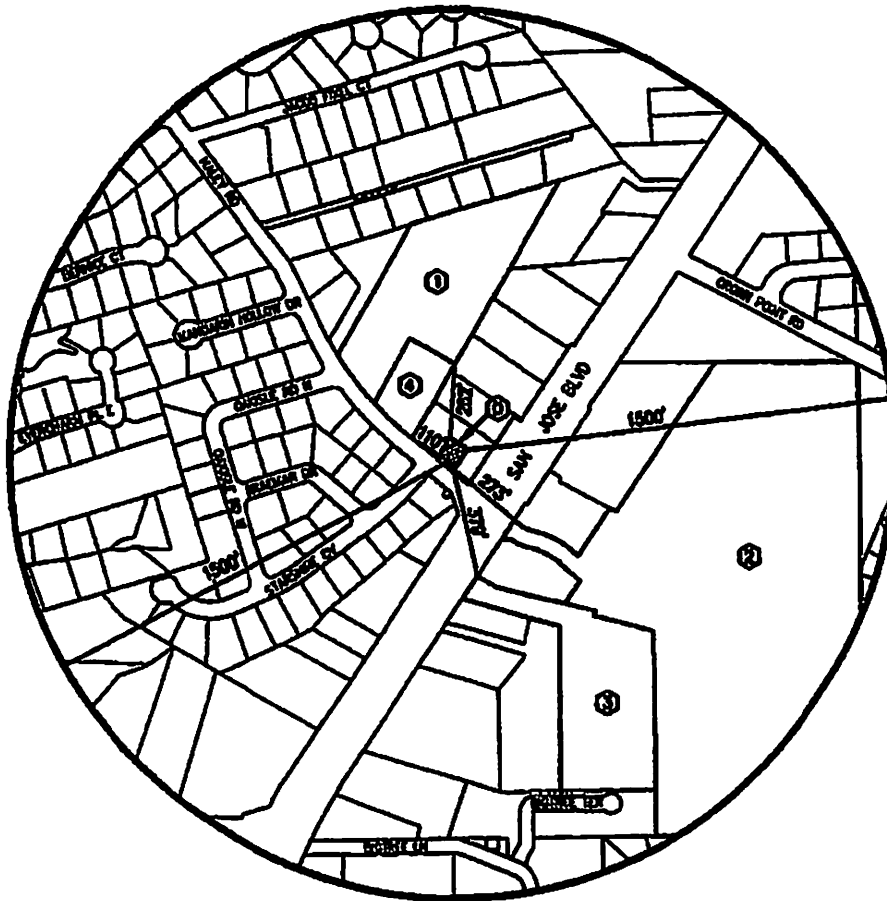
Michelle L Guthrie  
(Signature of NOTARY PUBLIC)

Michelle L Guthrie  
(Printed name of NOTARY PUBLIC)

State of Florida at Large.  
My commission expires: 4/3/2023



# MAP SHOWING SPECIAL PURPOSE LIQUOR LICENSE SURVEY



## ESTABLISHMENT

- 0. PROPOSED LICENSE LOCATION  
10140 SAN JOSE BLVD.
- 1. KOREAN CENTRAL BAPTIST CHURCH  
10113 HALEY RD.
- 2. JACKSONVILLE JEWISH CENTER  
3862 CROWN POINT RD.
- 3. ETZ CHAM SYNAGOGUE  
10167 SAN JOSE BLVD.
- 4. CHABAD LUBAVITCH OF NE FLA  
10129 HALEY RD.

## DISTANCE FROM 0 IN FEET

0'

252'

273'

379'

110'

DATE: FEBRUARY 19, 2021

REVISED: MARCH 16, 2021 TO  
INCLUDE OUTDOOR SEATING

prepared for:

**TIME OUT SPORTS GRILL MANDARIN, LLC**

prepared by:

SCALE: 1" = 500'

## CROASDELL COMPANY

ENGINEERS • SURVEYORS • PLANNERS  
420 EAST ADAMS STREET, JACKSONVILLE, FLORIDA 32202  
PHONE 904.881.0840 • FAX 904.881.7224  
LE 6219 • SURV-00000001 • SINCE 1928

**CERTIFICATION:** The undersigned certifies that she is a land surveyor registered by the State of Florida, and that this drawing was prepared by her pursuant to Section 656.804, Jacksonville Ordinance Code, that all locations of schools, churches and adult entertainment facilities within a radius of 1500 feet are shown, that the distances shown hereon are in accordance with the requirements of Section 656.808, Jacksonville Ordinance Code to the best of my knowledge and belief.

SIGNED:

*Lisa A. Davis*

Lisa A. Davis, Professional Surveyor & Mapper No. 6182

UNLESS THIS MAP, OR ANY PART THEREOF, BE SIGNED AND SEALED BY A FLORIDA LICENSED SURVEYOR AND MAPPER, IT IS VOID FOR ALL INFORMATION PURPOSES ONLY AND IS NOT VALID.





ONE CITY. ONE  
JACKSONVILLE.

## City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

PC 4/22  
~~BRUCE~~  
ERIN

March 24, 2021

### MEMORANDUM

TO: Folks Huxford, Chief Current Planning Division  
Planning & Development Department

FROM: DEVELOPMENT SERVICES DIVISION  
ZONING SECTION

SUBJECT: ZONING EXCEPTIONS, VARIANCES AND WAIVERS

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The enclosed copies of zoning exception, variances and waiver application(s) have been received by this office. They are forwarded to you for consideration.

Application Number	Date Filed	Council District	Owner/ Agent
E-21-16 WLD-21-04	3/24/21	6	NE Florida Capital Group, LLC Ramzy Bakkar / Matt Harris

10140 San Jose Boulevard

Exception for all alcohol w/ Restaurant including outside sales and service and companion  
Waiver of Liquor Distance from 500' to 110'



## Planning and Development Department

Ed Ball Building  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202

### MEMORANDUM

**TO:** Erin Abney  
Current Planning Division

**FROM:** Jody McDaniel, City Planner III  
Community Planning Division

**RE:** E-21-16

**DATE:** April 2, 2021

---

*The following review is based on the information provided by the Current Planning Division staff*

#### Description of Proposed Rezoning Application

Current Land Use:	CGC	LU Companion Application:	N/A
Current Zoning:	CCG-1	Proposed Zoning:	Exception
Land Development Area:	Urban	Acres:	0.95

#### Comprehensive Land Use Policy Analysis

Is the proposed rezoning district consistent with the functional land use category identified in the 2030 Comprehensive Plan?

YES

☒

NO

☐

#### **ZONING REQUEST:**

The exception is for a restaurant with the outside sale and service of food in the CCG-1 zoning district and is located on San Jose Boulevard.

#### **LAND USE CATEGORY CONSISTENCY REVIEW:**

The site is located in the CGC land use category of the Urban Development Area. The proposed exception of a restaurant with outside sales and service is consistent with the CGC land use category. Community/General Commercial in the Urban Area is intended to provide compact development, which should generally be developed in

2021-374

ON FILE

Page 121 of 327

nodal and corridor development patterns while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Principal uses include, but are not limited to, Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; and Offices, Business and Professional Offices including veterinary offices.

To ensure compliance with the provisions of the Comprehensive Plan, zoning staff should analyze the proposed zoning application in relation to the following goals, objectives, policies and/or text of the 2030 Comprehensive Plan. This analysis should be included within the staff report for the zoning application.

#### Future Land Use Element (FLUE)

##### Objective 1.1

Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

##### Policy 1.1.22

Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

##### Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

##### Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

##### Objective 3.2

Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas

The proposed rezoning has been identified as being related to the following issues identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application should be carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:

#### Airport Environment Zone

The site is located within the 300 foot Height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of less than 300', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d). See Objective 2.5 of the Future Land Use Element below:

#### Future Land Use Element

##### Objective 2.5



Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

JACKSONVILLE  
**Daily Record**

**PROOF OF PUBLICATION**

(Published daily except Saturday, Sunday and legal holidays)  
Jacksonville, Duval County, Florida

STATE OF FLORIDA,

S.S.

COUNTY OF DUVAL,

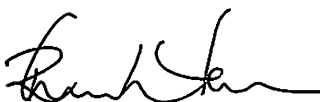
Before the undersigned authority personally appeared Rhonda Fisher, who on oath says that she is the Publisher's Representative of JACKSONVILLE DAILY RECORD, a daily (except Saturday, Sunday and legal holidays) newspaper published at Jacksonville, in Duval County, Florida; that the attached copy of advertisement, being a Notice of Public Hearing

in the matter of Exception: E-21-16 (companion WLD-21-04)

in the Court of Duval County, Florida, was published in said newspaper in the issues of 4/7/21

Affiant further says that the said JACKSONVILLE DAILY RECORD is a newspaper at Jacksonville, in said Duval County, Florida, and that the said newspaper has heretofore been continuously published in said Duval County, Florida, each day (except Saturday, Sunday and legal holidays) and has been entered as periodicals matter at the post office in Jacksonville, in said Duval County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

\*This notice was placed on the newspaper's website and floridapublicnotices.com on the same day the notice appeared in the newspaper.



Rhonda Fisher

Sworn to and subscribed before me this 7th day of April, 2021 A.D. by Rhonda Fisher who is personally known to me.

JANEY MOORE  
Notary Public, State of Florida  
My Comm. Expires 12/18/2024  
Commission No. 10437087

  
Notary Signature

Seal

Notary Public, State of Florida

**NOTICE OF**

**PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that on Thursday, April 22, 2021 at 1:00 P.M., the Planning Commission of the City of Jacksonville will hold a Public Hearing in the Edward Ball Building, 214 North Hogan Street, 1st Floor - Training Room, Jacksonville, Florida 32202.

The purpose of this meeting is to consider application for:

Exception: E-21-16

(companion WLD-21-04)

The street address and/or location for the property 10140 San Jose Boulevard (RE: 148791-0000) between Haley Road and Starshire Cove in the City of Jacksonville. This application was filed by Matt Harris, 9446 Silhouette Lane, Jacksonville, FL. This property is currently zoned CCG-1.

Exception Sought: Restaurant with sales and service of all alcohol beverages with outside sale and service

A copy of the application containing the legal description can be faxed, mailed or e-mailed to you at your request by contacting the Planning and Development Department at (904) 255-7865. All interested parties are notified to be present and will be heard at the public hearing.

Joshua Garrison, Chair  
Jacksonville Planning  
Commission

City of Jacksonville

Dated this 2nd day of April.

Apr. 7

00(21-023871D)

2021-374

ON FILE

Page 124 of 327

CITY OF JACKSONVILLE  
PLANNING COMMISSION  
MEETING

Proceedings held on Thursday, April 22, 2021,  
commencing at 1:08 p.m., at the Ed Ball Building,  
214 North Hogan Street, 1st Floor Training Room,  
Jacksonville, Florida, before Diane M. Tropia, FPR, a  
Notary Public in and for the State of Florida at Large.

PRESENT:

JOSHUA GARRISON, Chairman.  
DAVID HACKER, Secretary.  
DANIEL BLANCHARD, Commission Member.  
IAN BROWN, Commission Member.  
ALEX MOLDOVAN, Commission Member.  
JASON PORTER, Commission Member.

ALSO PRESENT:

FOLKS HUXFORD, Chief, Current Planning.  
KRISTEN REED, Chief, Community Planning Div.  
BRUCE LEWIS, Planning and Development Dept.  
LAURIE SANTANA, Transportation Planning Div.  
PAIGE JOHNSTON, Office of General Counsel.  
KEALEY WEST, Office of General Counsel.  
PATRICIA SALES, Planning and Development Dept.

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1 record be kept of speakers and what is said.

2 Everyone who wishes to speak must fill out  
3 a blue speaker's card. Place them in the  
4 basket with Ms. Sales over here to our right,  
5 to your left. The cards are located at the  
6 back of the room as you enter.

7 The speaker's testimony is taken down by  
8 the court reporter and it is important that  
9 participants speak clearly into the microphone  
10 and only one person should speak at a time.

11 Any tangible material submitted with a  
12 speaker's presentation will become a part of  
13 the public record and will be kept by this  
14 commission; therefore, please retain a copy of  
15 anything submitted if it is needed.

16 The public hearings on exceptions,  
17 variances, waivers, administrative deviations  
18 and minor modifications are quasi-judicial  
19 where you will be sworn in prior to your  
20 testimony and the decisions by the Planning  
21 Commission today will be final.

22 Decisions by this commission on rezonings  
23 and land use amendments are recommendations  
24 only. The recommendations are then transmitted  
25 to City Council's Land Use and Zoning

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PROCEEDINGS

April 22, 2021 1:08 p.m.

THE CHAIRMAN: All right, everyone.  
Welcome to the April 22nd, 2021, meeting  
of the Jacksonville Planning Commission.  
As a courtesy, please place any mobile  
phones, tablets, or audible devices on silent  
mode.

Please join me now as we recite the Pledge  
of Allegiance and remain standing for a brief  
moment of silence.

(Recitation of the Pledge of Allegiance.)

THE CHAIRMAN: All right. Let the record  
reflect that we have a quorum with  
Commissioners Blanchard, Garrison, Hacker,  
Moldovan, Porter, and Brown present.

We are also joined by our Duval County  
Public Schools Representative -- we are -- not  
yet; he may be here shortly -- as well as  
members of the City's Planning and Development  
Department and the Office of General Counsel.

This commission's bylaws provide that each  
member of the public who speaks before this  
commission is limited to a three-minute  
presentation. It is important that an accurate

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Committee, which ultimately votes on these  
matters. LUZ may or may not follow the  
recommendations of the Planning Commission.

Unless specifically deferred by LUZ, items  
voted on by the Planning Commission today are  
heard before the Land Use and Zoning Committee  
in two weeks. LUZ will meet on Tuesday,  
May 4, 2021, for another public hearing and  
vote. LUZ meets in Council Chambers in City  
Hall at 5 p.m.

For any questions regarding a specific  
application, please see staff.

A copy of the agenda is located at the  
back of the room. Items are generally  
addressed in the order in which they are listed  
on the agenda. Items may be heard out of order  
for the sake of efficiency or to accommodate  
scheduling conflicts.

At this time, I will ask the members of  
the Commission to address the minutes from the  
prior meeting, April 8, 2021.

COMMISSIONER HACKER: Mr. Chairman, I move  
to approve the minutes for April 8, 2021.

COMMISSIONER MOLDOVAN: Second.

THE CHAIRMAN: I have a motion and a

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5

1 second for approval of April 8, 2021.  
2 Any discussion from the Commission?  
3 COMMISSION MEMBERS: (No response.)  
4 THE CHAIRMAN: Seeing none, I have a  
5 motion and a second for approval.  
6 All those in favor?  
7 COMMISSION MEMBERS: Aye.  
8 THE CHAIRMAN: Any opposed?  
9 COMMISSION MEMBERS: (No response.)  
10 THE CHAIRMAN: That motion passes.  
11 I'd like to acknowledge that Councilman  
12 Boylan is in the room. Thank you for being  
13 here, sir. He's the chairman our Land Use and  
14 Zoning committee. Always glad to see you.  
15 With that, let's go through the deferred  
16 items. First, we're deferring E-15-20 and  
17 WLD-15-05, Atlantic Boulevard; E-17-46, Merrill  
18 Road; E-20-46, Salisbury Road. Deferring  
19 V-20-07, Yellow Water Road; E-20-84 and  
20 AD-21-05, Old Kings Road; MM-19-06, Collins  
21 Road; MM-21-003, Baymeadows Circle West;  
22 2020-0340 and -0341 --  
23 Would anyone mind shutting the door for  
24 us? Appreciate it. Yes, ma'am, if you  
25 would -- I appreciate your help there.

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6

1 So we will be deferring 2020-0340 and  
2 -0341, Florence Street; 2020-0391, Alton  
3 Avenue; 2020-0575, Pearl Street North;  
4 2020-0020, Loretto Road; 2020-0689, Broward  
5 Road; 2021-0011, Heckscher Drive; and  
6 2021-0170, Lakeside Drive. So these are the  
7 items that we are deferring today.  
8 Is there anyone here today to speak on any  
9 of those items that I just read out?  
10 AUDIENCE MEMBERS: (No response.)  
11 THE CHAIRMAN: Seeing none, let's go  
12 through the items that we will be hearing  
13 today. We're hearing E-21-08, Soutel Drive;  
14 E-21-15, Dunn Avenue; E-21-16 and WLD-21-04,  
15 San Jose Boulevard; E-21-17, Haley Road;  
16 V-21-02, Hance Lane. We're also hearing  
17 MM-21-09, Corklan Drive; as well as 2021-0165  
18 and -0166, Line Street; as well as 2021-0167  
19 and -0168, Old Middleburg Road South.  
20 We'll also be hearing 2021-0137, Starratt  
21 Road; 2021-0171, Starratt Road; as well as  
22 2021-0169, McCormick Road. And ordinance  
23 recommendations 2021-0174 for townhouses and  
24 row houses, as well as 2021-0175 for  
25 nonconforming use.

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7

1 With that -- sir, did you have a question?  
2 AUDIENCE MEMBER: No.  
3 THE CHAIRMAN: Okay. Thank you, sir.  
4 With that, could we please open the public  
5 hearing -- we'll be going out of order -- on  
6 MM-21-09, Corklan Drive.  
7 MR. LEWIS: Thank you, Mr. Chairman.  
8 This is application for a minor  
9 modification to a PUD. MM-21-09 seeks to  
10 revise the original PUD's written description  
11 in order to allow for a reduction in the total  
12 amount of parking.  
13 The current PUD requires a minimum of two  
14 parking spaces per unit. The proposed change  
15 will be for an adjustment which would go --  
16 fall back to the Zoning Code, 656.604, which --  
17 one-and-a-half spaces for a studio and  
18 one-bedroom apartments; two spaces for a  
19 two-bedroom; and two-and-a-quarter for any --  
20 two-and-a-quarter for a three-bedroom. This is  
21 an adjustment -- and then with an adjustment  
22 down for six spaces.

23 So the total number of dwellings will  
24 increase from 353 to 360, which is allowed  
25 during a previous minor modification from last

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8

1 year. The parking ratio is to go from two  
2 spaces per unit to 1.92 spaces per unit with  
3 this modification.  
4 With that, staff has reviewed the  
5 application. We find it does meet the  
6 criteria, and the Department is recommending  
7 approval of MM-21-09 without conditions.  
8 THE CHAIRMAN: Thank you, Bruce.  
9 (Audience member approaches the podium.)  
10 THE CHAIRMAN: Mr. Abbey, your name and  
11 address, please, for the record.  
12 AUDIENCE MEMBER: Yes. My name is Gary  
13 Abbey, 2046 Cherokee Drive, Neptune Beach, 32266.  
14 THE CHAIRMAN: Thank you, sir.  
15 Go ahead, please.  
16 MR. ABBY: I'm here on behalf of the  
17 applicant and can answer any questions if you  
18 have any.  
19 THE CHAIRMAN: Great. And retroactively,  
20 Ms. Tropia will swear you in.  
21 THE REPORTER: If you would raise your  
22 right hand for me, please.  
23 MR. ABBEY: (Complies.)  
24 THE REPORTER: Do you affirm that the  
25 testimony you are about to give, and have

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9

1 given, is the truth, the whole truth, and  
2 nothing but the truth?  
3 MR. ABBEY: Yes.  
4 THE REPORTER: Thank you.  
5 (Discussion held off the record.)  
6 THE CHAIRMAN: All right. Is there anyone  
7 else here today to speak on MM-21-09?  
8 AUDIENCE MEMBERS: (No response.)  
9 THE CHAIRMAN: Seeing none, I'll close the  
10 public hearing and bring it back to the  
11 Commission.  
12 COMMISSIONER HACKER: Mr. Chairman, I move  
13 to approve MM-21-09.  
14 COMMISSIONER MOLDOVAN: Second.  
15 THE CHAIRMAN: All right. I have a motion  
16 and a second for approval of MM-21-09.  
17 Any discussion from the Commission?  
18 COMMISSION MEMBERS: (No response.)  
19 THE CHAIRMAN: I do need to recuse myself  
20 from this matter as I'm currently working on  
21 this land development, so I will not be voting  
22 today.  
23 Any further discussion from the Commission?  
24 COMMISSION MEMBERS: (No response.)  
25 THE CHAIRMAN: All right. Seeing none, I  
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10

1 have a motion and a second for approval.  
2 All those in favor?  
3 COMMISSION MEMBERS: Aye.  
4 (Chairman Garrison abstains from voting.)  
5 THE CHAIRMAN: Any opposed?  
6 COMMISSION MEMBERS: (No response.)  
7 THE CHAIRMAN: That motions passes with  
8 Commissioners Hacker, Brown, Porter, Moldovan,  
9 and Blanchard, with Garrison recusing.  
10 And that concludes that item.  
11 Thank you, Gary.  
12 MR. ABBEY: Thanks.  
13 THE CHAIRMAN: Could we please go to E-21-08.  
14 MR. HUXFORD: Thank you, Mr. Chairman.  
15 Zoning exception E-21-08 is for property  
16 at 5755 Soutel Drive. This is between US-1 and  
17 Pritchard Road, up in the northwest part of  
18 town. The property is currently developed with  
19 an existing church. They would like to add a  
20 private school and a daycare.  
21 This application was taken to the  
22 KingSoutel Crossing CRA board last month, and  
23 they have no objections to the request. The  
24 site contains seven acres, so it has plenty of  
25 room for the addition of the school.  
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11

1 Staff had no concerns and we forward to  
2 you a recommendation to approve.  
3 THE CHAIRMAN: Thank you, Folks.  
4 (Audience member approaches the podium.)  
5 THE CHAIRMAN: Yes, sir. Your name and  
6 address, please.  
7 AUDIENCE MEMBER: My name is Kevin Hardy,  
8 96268 Sweet Briar Lane, Yulee.  
9 THE CHAIRMAN: Great. And Ms. Tropia will  
10 swear you in.  
11 THE REPORTER: If you would raise your  
12 right hand for me, please.  
13 MR. HARDY: (Complies.)  
14 THE REPORTER: Do you affirm that the  
15 testimony you are about to give will be the  
16 truth, the whole truth, and nothing but the  
17 truth?  
18 MR. HARDY: I Affirm.  
19 THE REPORTER: Thank you.  
20 THE CHAIRMAN: Yes, sir. Go ahead, please.  
21 MR. HARDY: I'm here to answer any questions.  
22 THE CHAIRMAN: Great. Thank you.  
23 Is there anyone else here today to speak  
24 on E-21-08, Soutel Drive?  
25 AUDIENCE MEMBERS: (No response.)  
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12

1 THE CHAIRMAN: Seeing none, I'll close the  
2 public hearing and bring it back to the  
3 Commission.  
4 COMMISSIONER HACKER: Mr. Chairman, I move  
5 to approve E-21-08.  
6 COMMISSIONER MOLDOVAN: Second.  
7 THE CHAIRMAN: I have a motion and a  
8 second for approval of E-21-08.  
9 Any discussion from the Commission?  
10 COMMISSION MEMBERS: (No response.)  
11 THE CHAIRMAN: Seeing none, I have a  
12 motion and a second for approval.  
13 All those in favor?  
14 COMMISSION MEMBERS: Aye.  
15 THE CHAIRMAN: Any opposed?  
16 COMMISSION MEMBERS: (No response.)  
17 THE CHAIRMAN: That motion passes unanimously.  
18 MR. HARDY: Thank you, sir.  
19 THE CHAIRMAN: Thank you, sir. Thank you  
20 for being here.  
21 All right. Can we please go to E-21-15,  
22 Dunn Avenue.  
23 MR. HUXFORD: Thank you, Mr. Chairman.  
24 Application for zoning exception, E-21-15,  
25 is for property along Dunn Avenue, just east of  
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13

1 295, seeking a service garage for minor repairs  
2 in the CCG-1 zoning district.

3 As you may recall, the Commission reviewed  
4 and recommended to approve an ordinance  
5 recently, Ordinance 2021-0111, which did allow  
6 for minor service garages to come back and be  
7 considered by exception in CCG-1, and this is  
8 the first one.

9 This property was actually rezoned to  
10 CCG-1 back in 2015. It was going to be a  
11 Wendy's, but that just never came to pass, so  
12 it has sat undeveloped. We think this is a  
13 good infill at this location, and staff  
14 forwards to you a recommendation to approve.

15 THE CHAIRMAN: Thank you, Folks.

16 Ms. Hipps.

17 (Ms. Hipps approaches the podium.)

18 MS. HIPPS: Alberta Hipps, 1650 Margaret  
19 Street, 32204.

20 THE CHAIRMAN: Great. Thank you, ma'am.  
21 And Ms. Tropia will swear you in.

22 THE REPORTER: If you would raise your  
23 right hand for me, please.

24 MS. HIPPS: (Complies.)

25 THE REPORTER: Do you affirm that the  
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14

1 testimony you are about to give will be the  
2 truth, the whole truth, and nothing but the  
3 truth?

4 MS. HIPPS: I do.

5 THE REPORTER: Thank you.

6 MS. HIPPS: Thank you, Commissioners.

7 You've heard the report from the Planning  
8 Department recommending an approval. I'm here  
9 to answer any questions you may have.

10 THE CHAIRMAN: Great. Thank you.

11 Is there anyone else here today to speak  
12 on E-21-15?

13 AUDIENCE MEMBERS: (No response.)

14 THE CHAIRMAN: All right. Seeing none,  
15 I'll close the public hearing and bring it back  
16 to the Commission.

17 COMMISSIONER HACKER: Mr. Chairman, I move  
18 to approve E-21-15.

19 COMMISSIONER MOLDOVAN: Second.

20 THE CHAIRMAN: I have a motion and a  
21 second for approval of E-21-15.

22 Any discussion from the Commission?

23 COMMISSION MEMBERS: (No response.)

24 THE CHAIRMAN: Seeing none, I have a  
25 motion and a second for approval.

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15

1 All those in favor?

2 COMMISSION MEMBERS: Aye.

3 THE CHAIRMAN: Any opposed?

4 COMMISSION MEMBERS: (No response.)

5 THE CHAIRMAN: All right. That motion passes.

6 MS. HIPPS: Thank you.

7 THE CHAIRMAN: Thank you, Ms. Hipps.

8 All right. Can we please go to E-21-17,  
9 Haley Road.

10 MR. HUXFORD: Thank you, Mr. Chairman.

11 Application for zoning exception, E-21-17,  
12 is for property at 10129 Haley Road. This is  
13 just to the west of San Jose Boulevard. The  
14 request is to allow for a school expansion.

15 The property is currently -- operates a school  
16 of up to 20 children. They're asking to go to 50.

17 The previous school that's in operation  
18 was granted a zoning exception, E-13-30, a  
19 couple of years back, along with a deviation to  
20 reduce the lot size from 2 acres down to 1.2.

21 Because that deviation is still valid, they  
22 didn't need to reapply for that. They just  
23 need the exception in order to expand the  
24 school use.

25 Staff had no objections to this, and we  
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16

1 forward to you a recommendation to approve.

2 There are a good many folks in the  
3 audience today that are actually here for an  
4 item that abuts this, right along San Jose  
5 Boulevard. It is a complete coincidence that  
6 the two applications just happened to time out  
7 and come to Planning Commission on the same  
8 day, but they are unrelated to one another.

9 THE CHAIRMAN: Thank you, Folks.

10 Ms. Fleet.

11 (Audience member approaches the podium.)

12 THE CHAIRMAN: Ms. Fleet, your name and  
13 address, please.

14 AUDIENCE MEMBER: Janis Fleet, 11557  
15 Hidden Harbor Way, Jacksonville 32223.

16 THE CHAIRMAN: Thank you. And Ms. Tropia  
17 will swear you in.

18 THE REPORTER: If you would raise your  
19 right hand for me, please.

20 MS. FLEET: (Complies.)

21 THE REPORTER: Do you affirm that the  
22 testimony you are about to give will be the  
23 truth, the whole truth, and nothing but the  
24 truth?

25 MS. FLEET: I do.

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17

1 THE REPORTER: Thank you.  
2 THE CHAIRMAN: Go ahead, please.  
3 MS. FLEET: Mr. Chairman, the Chabad has  
4 been in this location since about 1984. They  
5 had the school approved back in 2013, and they  
6 got the waiver as Mr. Folks [sic] said.  
7 What they would now like to do is  
8 construct some units in the back and to have  
9 economy of scale in demand. They would like to  
10 increase it to 50 students. Right now they  
11 don't have 50, but they're hoping to be able to  
12 grow to that. But the units -- in order to  
13 construct it, you have to at least plan on that  
14 many units.  
15 It provides a transitional use to the  
16 commercial and the residential. It's very  
17 quiet in that neighborhood. The -- most of the  
18 students live in that neighborhood and there's  
19 a lot of walking. And if they go out of the  
20 neighborhood, they have to go down Haley Road  
21 anyway, so it's really not creating any more  
22 traffic than is existing in the neighborhood.  
23 And we feel it's a good use for the  
24 property. They basically, since they got the  
25 original exception -- there's a large retention  
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18

1 pond that DOT has created, kind of adjoining  
2 their property, so they have a lot of room in  
3 the back. If they end up doing any  
4 recreational, we will comply with the standards  
5 that the Planning Department mentions in their  
6 staff report.  
7 And I'll respond to any other questions  
8 that anybody has.  
9 THE CHAIRMAN: Thank you, Ms. Fleet.  
10 I do have a speaker in opposition and  
11 several other speakers. So after we hear from  
12 everyone else, I'll give you a chance for  
13 rebuttal.  
14 MS. FLEET: Appreciate it.  
15 THE CHAIRMAN: Yes, ma'am.  
16 Could we hear from Bobby Handmaker?  
17 Looking for a Bobby Handmaker.  
18 MR. HANDMAKER: That's me. I put the  
19 wrong number down.  
20 THE CHAIRMAN: Okay.  
21 Everyone, if you would please really speak  
22 into the microphone for the sake of our court  
23 reporter, we would appreciate it.  
24 Can I hear from Alan Milner, please,  
25 followed by Jason Canning.  
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19

1 (Audience member approaches the podium.)  
2 THE CHAIRMAN: Your name and address.  
3 AUDIENCE MEMBER: It's Alan Milner, 10360  
4 Arrowhead Drive, Jacksonville.  
5 THE CHAIRMAN: Great. And Ms. Tropa will  
6 swear you in.  
7 THE REPORTER: If you would raise your  
8 right hand for me, please.  
9 MR. MILNER: (Complies.)  
10 THE REPORTER: Do you affirm that the  
11 testimony you are about to give will be the  
12 truth, the whole truth, and nothing but the  
13 truth?  
14 MR. MILNER: I do.  
15 THE REPORTER: Thank you.  
16 THE CHAIRMAN: Go ahead, please.  
17 MR. MILNER: I just wanted to briefly  
18 point out to the Commission that it is the  
19 only -- that the Chabad is located in the  
20 only -- the largest and arguably only Orthodox  
21 Jewish community between Daytona and Orlando,  
22 so there's larger communal implications for the  
23 decision of the Commission in this case.  
24 THE CHAIRMAN: Great. Thank you, sir.  
25 Thanks for being here.  
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20

1 Next, can we please hear from Jason  
2 Canning.  
3 AUDIENCE MEMBER: I also put the wrong  
4 one. I'm for the next one.  
5 THE CHAIRMAN: Okay. Understood. Can we  
6 hear from Stefen Wynn, please.  
7 (Audience member approaches the podium.)  
8 THE CHAIRMAN: Are you here for this one?  
9 AUDIENCE MEMBER: I am. Yes.  
10 THE CHAIRMAN: Your name and address, please.  
11 AUDIENCE MEMBER: Stefen Wynn, 3057 Haley  
12 Lane, Jacksonville, Florida.  
13 THE CHAIRMAN: And Ms. Tropa will swear  
14 you in.  
15 THE REPORTER: If you would raise your  
16 right hand for me, please.  
17 MR. WYNN: (Complies.)  
18 THE REPORTER: Do you affirm that the  
19 testimony you are about to give will be the  
20 truth, the whole truth, and nothing but the  
21 truth?  
22 MR. WYNN: Yes.  
23 THE REPORTER: Thank you.  
24 MR. WYNN: Commissioners, I am very much  
25 in favor of this application. I wanted it to  
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21

1 be on record that this fits the character of  
2 our community.

3 It's -- while I do think that the  
4 vehicular traffic won't be an issue, I do think  
5 that there will be more pedestrians, which is a  
6 good thing. It fits in with the Comprehensive  
7 Plan of the City of Jacksonville. It fits in  
8 with multimodal transportation efforts that  
9 we're going through in Duval County. I think  
10 that this is a good thing. I wanted that on  
11 record before the next one.

12 THE CHAIRMAN: Thank you, sir.

13 All right. With that, those are our  
14 speakers.

15 Ms. Fleet, we actually don't have any  
16 opposition.

17 So with that, is there anyone else here  
18 today who would like to speak on E-21-17  
19 regarding the school on Haley Road?

20 AUDIENCE MEMBER: I'll say something.

21 THE CHAIRMAN: Okay. Yes, sir. You will  
22 need to fill out a blue speaker's card for this  
23 matter. And you're welcome to come up.

24 AUDIENCE MEMBER: Okay.

25 (Audience member approaches the podium.)

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22

1 AUDIENCE MEMBER: The only issue --

2 THE CHAIRMAN: Sir, I'll need your name  
3 and address for the record.

4 AUDIENCE MEMBER: George Mecke, 3114  
5 Cornelia Drive, Jacksonville, Florida 32257.

6 THE CHAIRMAN: Okay. And spell that last  
7 name for me.

8 MR. MECKE: M-e-c-k-e.

9 THE CHAIRMAN: Great. And Ms. Tropia will  
10 swear you in.

11 THE REPORTER: If you would raise your  
12 right hand for me, please.

13 MR. MECKE: (Complies.)

14 THE REPORTER: Do you affirm that the  
15 testimony you are about to give will be the  
16 truth, the whole truth, and nothing but the  
17 truth?

18 MR. MECKE: I do.

19 THE REPORTER: Thank you.

20 MR. MECKE: The -- I was doing a lot of  
21 surveying for the other issue, but one thing  
22 that came up to me was the fact -- of several  
23 of the neighbors was the fact that, you know,  
24 you've got a two-lane road and they have got 50  
25 people dropping off and picking up during the

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23

1 day.

2 It's going to -- you know, it's going to  
3 be a traffic issue. It's bad enough now.  
4 You've got traffic coming in off of Scott Mill,  
5 down Bernice and down Haley. You've got the  
6 sorriest -- one of the sorriest lights in town  
7 on the corner of Haley and San Jose. You may  
8 get 10 seconds to turn; you may get 30. You  
9 get people backed up; they're going to get  
10 antsy. They see the light turn, and then all  
11 this traffic, you know, people blocking traffic  
12 and all. That's the only point I would like to  
13 make.

14 THE CHAIRMAN: Thank you, sir.

15 MR. MECKE: Thank you.

16 THE CHAIRMAN: If you would fill out  
17 another blue speaker's card for us regarding  
18 this matter, we'd appreciate it.

19 Is there anyone else here today to speak  
20 on E-21-17?

21 AUDIENCE MEMBERS: (No response.)

22 THE CHAIRMAN: That was opposition. So,  
23 Ms. Fleet, if you care to speak to that, you  
24 may.

25 (Ms. Fleet approaches the podium.)

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24

1 MS. FLEET: Mr. Chairman, as the Planning  
2 Department discussed in the report about  
3 traffic, on our site plan we do show having a  
4 drop-off area. On the property there's ample  
5 space to have parking and drop-off on the  
6 property. So the goal would be to get --  
7 because we're putting the school in the rear of  
8 the property, it would be to get people off  
9 Haley Road during those times.

10 THE CHAIRMAN: Thank you.

11 All right. Is there anyone else here  
12 today to speak on E-21-17?

13 AUDIENCE MEMBERS: (No response.)

14 THE CHAIRMAN: Seeing none, I'll close the  
15 public hearing and bring it back to the Commission.

16 COMMISSIONER HACKER: Mr. Chairman, I move  
17 to approve E-21-17.

18 COMMISSIONER MOLDOVAN: Second.

19 THE CHAIRMAN: All right. I have a motion  
20 and a second for approval of E-21-17.

21 Any discussion from the Commission?  
22 Commissioner Hacker.

23 COMMISSIONER HACKER: Thank you.

24 Just a quick comment, through the Chair.

25 I think the use is appropriate. It seems like

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25

1 It's a moderate increase in the number of  
2 students. I did appreciate the person from the  
3 public coming and letting us know about the  
4 Orthodox community that we have out there.  
5 That's pretty interesting, so I'm in support of  
6 it.

7 THE CHAIRMAN: Thank you.  
8 Commissioner Brown.

9 COMMISSIONER BROWN: Thank you.  
10 Through the Chair, I used to live right  
11 around the corner, over by Big Tree, and it is  
12 a very pedestrian, Jewish-centric area and a  
13 lot of foot traffic. So I'm not too concerned  
14 about the additional 30 students and traffic.  
15 I do think that would be a lot of pedestrian  
16 traffic.

17 I did have a question for staff. Is the  
18 approval conditioned on building more square  
19 footage, or is that approved with the existing  
20 two buildings at 6,200 square feet?

21 MR. HUXFORD: They are going to add a  
22 building, but they have not asked for any  
23 relief from any of our other requirements, so  
24 they are going to meet all parking and  
25 landscaping requirements.

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26

1 COMMISSIONER BROWN: Okay. Thank you.  
2 THE CHAIRMAN: Thank you, Commissioner  
3 Brown.

4 Further discussion from the Commission?  
5 COMMISSION MEMBERS: (No response.)  
6 THE CHAIRMAN: Seeing none, I have a  
7 motion and a second for approval.  
8 All those in favor?  
9 COMMISSION MEMBERS: Aye.  
10 THE CHAIRMAN: Any opposed?  
11 COMMISSION MEMBERS: (No response.)  
12 THE CHAIRMAN: That motion passes.  
13 Thank you all for being here.  
14 MS. FLEET: Thank you.  
15 THE CHAIRMAN: Thank you.  
16 Ma'am -- in the pink shirt -- what matter  
17 are you here for?  
18 AUDIENCE MEMBER: The house -- the  
19 additional house off of Hance Lane.  
20 MR. HUXFORD: It's the next one.  
21 THE CHAIRMAN: Okay. Great.  
22 Could we open the public hearing on V-21-02?  
23 MR. HUXFORD: Thank you, Mr. Chairman.  
24 Application for zoning variance, V-21-02,  
25 is for a property at 13507 Hance Lane. This is

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27

1 in the vicinity of Otis Road and Old Plank Road  
2 on the Westside. It's too bad Commissioner  
3 Motes isn't here because it's down the street  
4 from her place.

5 They are asking to be able to divide a  
6 piece of land so that a family member can have  
7 an additional dwelling on the property in the  
8 agricultural area of town.

9 We would note that the abutting property  
10 to the east is actually a planned unit  
11 development for a large subdivision that has  
12 not yet come on line, 60-foot-wide lots,  
13 6,000 square feet.

14 The resulting property from this will be  
15 over an acre each. So by comparison, we don't  
16 think it's out of character. We forward to you  
17 a recommendation to approve with two  
18 conditions, and I'll read those into the record.

19 One is that the new home will need to be  
20 legally split into a separate one-acre parcel.  
21 The point of this variance process is to allow  
22 for families to divide their property, not so  
23 that you have one solid piece of property with  
24 two units on it. So they will need to split it  
25 off where the new house is going to go.

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28

1 And then the second is that the family  
2 member will need to complete a lineal  
3 consanguinity form. The reason we say that is  
4 they're not asking for relief from our road  
5 frontage requirement. And so if you have a  
6 case of a family member with a piece of  
7 property that does have proper road frontage  
8 along a public road and then you split off a  
9 piece of land in the back and if it doesn't  
10 have frontage up on that road, they will use  
11 the lineal consanguinity form, which will  
12 demonstrate that they have an easement so that  
13 there's proper ingress and egress to the back  
14 of the property.

15 THE CHAIRMAN: Thank you, Folks.  
16 If you all would come forward.  
17 (Audience member approaches the podium.)  
18 THE CHAIRMAN: Your name and address for  
19 the record, please.  
20 AUDIENCE MEMBER: Abigail Dyal, 7827  
21 Cezanne Drive North, Jacksonville, Florida 32221.  
22 THE CHAIRMAN: And Ms. Tropa will swear  
23 you in.  
24 THE REPORTER: If you would raise your  
25 right hand for me, please.

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2021-374  
ON FILE

29

1 MS. DYAL: (Complies.)  
2 THE REPORTER: Do you affirm that the  
3 testimony you are about to give will be the  
4 truth, the whole truth, and nothing but the  
5 truth?  
6 MS. DYAL: Yes, ma'am.  
7 THE REPORTER: Thank you.  
8 THE CHAIRMAN: Go ahead, please.  
9 MS. DYAL: They're just doing a variance  
10 for this -- my customer. She's just going to  
11 take care of her grandparents, so we had to  
12 apply for the variance because the property was  
13 less acreage than required.  
14 THE CHAIRMAN: Great. Thank you.  
15 Is there anyone else here today to speak  
16 on V-21-02?  
17 AUDIENCE MEMBERS: (No response.)  
18 THE CHAIRMAN: Seeing none, I'll close the  
19 public hearing and bring it back to the  
20 Commission.  
21 COMMISSIONER HACKER: Mr. Chairman, I move  
22 to approve V-21-02 with the conditions listed  
23 in the staff report.  
24 COMMISSIONER MOLDOVAN: Second.  
25 THE CHAIRMAN: All right. I have a motion  
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30

1 and a second for approval of V-21-02 with the  
2 conditions listed in the staff report.  
3 Any discussion from the Commission?  
4 COMMISSION MEMBERS: (No response.)  
5 THE CHAIRMAN: Seeing none, I have a  
6 motion and a second for approval.  
7 All those in favor?  
8 COMMISSION MEMBERS: Aye.  
9 THE CHAIRMAN: Any opposed?  
10 COMMISSION MEMBERS: (No response.)  
11 THE CHAIRMAN: That motion passes.  
12 MS. DYAL: Thank you.  
13 THE CHAIRMAN: Thank you.  
14 Could we please go to 2021-0165 and  
15 2021-0166, Line Street.  
16 Folks and Bruce, whenever -- I'm sorry,  
17 Chief Reed.  
18 MS. REED: 2021-0165 is for a property  
19 located one block north the Beaver Street, at  
20 the intersection of Line Street and Broadway  
21 Avenue, and consists of just under a  
22 quarter-acre of land.  
23 This request would take the land use from  
24 the Medium Density Residential to the  
25 Residential Professional Institutional, and it  
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31

1 will permit the use of the property as a  
2 parking lot to support the office use located  
3 to the east, across Line Street, and which is  
4 also in the Residential Professional  
5 Institutional land use.  
6 The amendment site is situated in a  
7 transitional zone between Industrial and  
8 Commercial uses that line Beaver Street to the  
9 south of the site and Medium Density  
10 Residential uses to the north.  
11 We find it's consistent with the  
12 Comprehensive Plan because the RPI land use is  
13 considered a low-intensity commercial land use  
14 category and it serves as a transitional  
15 category between commercial and industrial  
16 areas. And, therefore, the amendment results  
17 in a logical and compatible land use pattern.  
18 The Department recommends approval subject  
19 to one change. That would be a revision to the  
20 Exhibit 2 that's attached to the ordinance.  
21 This is depicted on Page 12 of your report.  
22 The Exhibit 2 document needs to correct the  
23 proposed land use from Medium Density  
24 Residential to Residential Professional  
25 Institutional within the crosshatched area on  
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32

1 the exhibit. It simply reflects what the  
2 request is.  
3 And with that, we recommend approval.  
4 THE CHAIRMAN: Thank you, Ms. Reed.  
5 MR. HUXFORD: And the companion rezoning  
6 is Ordinance 2021-0166, seeking to rezone the  
7 same property from the Residential Medium  
8 Density-A zoning district to the Commercial  
9 Office zoning district.  
10 The property across the street, which is  
11 generating the need for this request, is a  
12 former public health clinic that the City  
13 surplused. It's now in private hands. The  
14 parking lot was intended to go along with it,  
15 but in order to use it to support a  
16 nonresidential use we need to rezone it to a  
17 Commercial Office, which would be appropriate  
18 given the professional office across the street.  
19 We had no objections, and we forward to  
20 you a recommendation to approve.  
21 THE CHAIRMAN: Thank you, Folks. Thank  
22 you, Ms. Reed.  
23 (Mr. Hainline approaches the podium.)  
24 THE CHAIRMAN: T.R.  
25 MR. HAINLINE: T.R. Hainline, 1301  
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2021-374  
ON FILE

33

1 Riverplace Boulevard, here representing Gateway  
2 Community Services.  
3 And Dr. Candy Hodgkins is in the back.  
4 She is the head of Gateway Community Services.  
5 Staff described why we're doing this and  
6 what these properties are. I'm not sure I  
7 heard the sponsors -- the reason it says COJ  
8 there is the sponsors of the bill are  
9 Councilman Garrett Dennis and Councilman Ron  
10 Salem.  
11 The properties, both this one and the one  
12 across Line -- across Line were conveyed to  
13 Gateway Community Services to -- so that they  
14 could use that building on the existing piece  
15 across the street. They could renovate that  
16 building and use it for some of their  
17 behavioral health work by appointment only at  
18 that building. And then this property would be  
19 the parking -- parking lot supporting that use.  
20 So we're happy to answer any questions.  
21 THE CHAIRMAN: Thank you, T.R.  
22 All right. Is there anyone else here  
23 today to speak on 2021-0165 or 2021-0166?  
24 AUDIENCE MEMBERS: (No response.)  
25 THE CHAIRMAN: Seeing none, I'll close the  
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34

1 public hearing and bring it back to the  
2 Commission.  
3 COMMISSIONER HACKER: Mr. Chairman, I move  
4 to approve 2021-0165.  
5 COMMISSIONER MOLDOVAN: Second.  
6 THE CHAIRMAN: All right. I have a motion  
7 and a second for approval of 2021-0165.  
8 Any discussion from the Commission?  
9 Commissioner Blanchard.  
10 COMMISSIONER BLANCHARD: Thank you, Chairman.  
11 Through the Chair to staff, help me  
12 understand why we need to do the rezoning. I  
13 think there's an ordinance going through, if  
14 I'm not mistaken, in the last month or two  
15 related to the off-site parking without an  
16 accessory -- or without a primary structure to  
17 support something adjacent.  
18 So if this is just going to be a parking  
19 lot, wouldn't that be an exception or variance?  
20 Or why is it a rezoning?  
21 MR. HUXFORD: In this case, that ordinance  
22 that you're referencing dealt with hours of  
23 operation in certain, more intense, commercial  
24 and industrial zoning districts. It was  
25 related to an Amazon site.  
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35

1 In this case, if you have a professional  
2 office or a medical office, then they can't use  
3 a piece of land zoned Residential as part of  
4 their parking lot. That land use for parking  
5 also has to have the right commercial zoning.  
6 There's no exception process for it. That's  
7 why they had to do the rezoning.  
8 THE CHAIRMAN: Thank you, Commissioner  
9 Blanchard.  
10 Further discussion from the Commission?  
11 COMMISSION MEMBERS: (No response.)  
12 THE CHAIRMAN: All right. Seeing none, I  
13 have a motion and a second for approval.  
14 All those in favor?  
15 COMMISSION MEMBERS: Aye.  
16 THE CHAIRMAN: Any opposed?  
17 COMMISSION MEMBERS: (No response.)  
18 THE CHAIRMAN: That motion passes.  
19 COMMISSIONER HACKER: Mr. Chairman, I move  
20 to approve 2021-0166.  
21 COMMISSIONER MOLDOVAN: Second.  
22 THE CHAIRMAN: All right. I have a motion  
23 and a second for approval of 2021-0166.  
24 Any discussion from the Commission?  
25 COMMISSION MEMBERS: (No response.)  
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36

1 THE CHAIRMAN: Seeing none, I have a  
2 motion and second for approval.  
3 All those in favor?  
4 COMMISSION MEMBERS: Aye.  
5 THE CHAIRMAN: Any opposed?  
6 COMMISSION MEMBERS: (No response.)  
7 THE CHAIRMAN: That motion passes as well.  
8 Thank you, T.R.  
9 MR. HAINLINE: Thank you.  
10 THE CHAIRMAN: Could we please go to  
11 2021-0167 and 2021-0168?  
12 MS. REED: Thank you.  
13 2021-0167 is for a 4.3-acre site located  
14 in the northeast quadrant of the intersection  
15 of Collins Road and Old Middleburg Road. This  
16 would take the land use from Low Density  
17 Residential to Community/General Commercial to  
18 facilitate commercial development at a signaled  
19 intersection.  
20 The amendment site is located just north  
21 of the Argyle DRI, development of regional  
22 impact, which is entitled to a broad mix of  
23 uses, including the Oakleaf Town Center  
24 commercial shopping development which is less  
25 than a quarter-mile south of the amendment  
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37

1 site.

2 We find that this amendment is consistent  
3 with the Comprehensive Plan because the  
4 amendment to the Community/General Commercial  
5 allowing for commercial development on the  
6 amendment site is a logical extension of  
7 existing commercial areas to the south that  
8 line Old Middleburg Road; and because the  
9 location, being at the signalized intersection  
10 of two roads, supports commercial development  
11 that serves the retail needs of the community  
12 without introducing nonresidential traffic into  
13 residential neighborhoods.

14 And, with that, we recommend approval.

15 THE CHAIRMAN: Thank you, Ms. Reed.  
16 (Audience member approaches the podium.)

17 THE CHAIRMAN: Taylor.

18 AUDIENCE MEMBER: Taylor Mejia, 208 North  
19 Laura Street.

20 Do you want to do -0167 and -0168, the  
21 companion bill, at the same time?

22 THE CHAIRMAN: Yes. We're doing them both  
23 at the same time.

24 MS. MEJIA: Okay.

25 THE CHAIRMAN: Thank you for that.

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38

1 Folks or Bruce.

2 MR. LEWIS: Thank you.

3 The companion is application 2021-0168 for  
4 a PUD. This is approximately 4.3 acres,  
5 rezoning from RR-Acre to PUD for the  
6 development of a commercial retail center  
7 located at the corner Old Middleburg Road and  
8 Collins Road.

9 We find that, with the amendment -- with  
10 approval of the land use amendment, this will  
11 be consistent with the Comprehensive Plan. We  
12 feel this is an appropriate location with the  
13 written description and the site plan, and we  
14 feel it's a -- It's appropriate for the corner  
15 of these two roadways and with the uses that  
16 are involved in here. They are also providing  
17 a 25-foot uncomplementary buffer to the north  
18 and east where it abuts residential property.

19 And, with that, staff is recommending  
20 approval of 2021-0168 with the three original  
21 exhibits and the two conditions that are in  
22 your staff report.

23 THE CHAIRMAN: Thank you, Bruce.

24 Ms. Mejia.

25 MS. MEJIA: Thank you.

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39

1 So Kristen and Bruce did a great job  
2 explaining what the project is. It will allow  
3 for a 25,000-square-foot shopping center right  
4 there at the intersection of Old Middleburg  
5 Road and Collins Road.

6 And we agree, we believe the widening  
7 that's already taken place or is currently  
8 happening on Collins as well as the future  
9 plans for widening of old Middleburg will  
10 create a great site for a commercial use right  
11 there on the corner.

12 We are agreeable with the two conditions  
13 that staff has provided, and we have had some  
14 feedback from the public, mainly concerning  
15 traffic in that area. As of right now, the  
16 site plan allows for a right-in and  
17 right-out-only on Collins and Old Middleburg.  
18 And we have been working with the City's Public  
19 Works Department on their future plans for Old  
20 Middleburg.

21 Happy to answer any questions.

22 THE CHAIRMAN: Thank you, Ms. Mejia.

23 I do have one speaker in opposition, so  
24 I'll give you a moment for rebuttal afterwards.

25 MS. MEJIA: Okay.

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40

1 THE CHAIRMAN: Could we please hear from  
2 Thomas Martin?

3 (Audience member approaches the podium.)

4 THE CHAIRMAN: Mr. Martin, we've seen you  
5 before. Could I get your name and address for  
6 the record, please?

7 MR. MARTIN: Thomas Martin -- or maybe I  
8 should take this off?

9 THE CHAIRMAN: Yeah, if you don't mind.  
10 And close to the mic, please.

11 MR. MARTIN: I'm losing my hearing aids  
12 when I do that.

13 Anyway. Thomas Martin. I live at 8019  
14 Leafcrest Drive, Jacksonville.

15 Do you want to --

16 THE CHAIRMAN: There's no need to swear  
17 you in, sir. You can go ahead.

18 MR. MARTIN: Okay. I oppose this. First  
19 off, of course, the entrances, both from  
20 Collins Road and from Old Middleburg Road, can  
21 only come in -- from Collins Road only  
22 making -- from westbound, you can't go in from  
23 the eastbound. And from the Old Middleburg  
24 Road, you cannot go -- cannot enter from  
25 southbound Middleburg Road or return to

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41

1 southbound Middleburg Road and continue on.  
2 There is no sewer in this area. When they  
3 built the firehouse nearby, the -- they had to  
4 run a sewer line from the firehouse location up  
5 along the west side of Old Middleburg Road all  
6 the way up to Longleaf Branch Drive -- and is a  
7 pump -- had to have a pump -- a force main for  
8 that.

9 The other is -- next is -- on the south  
10 side you notice that it's -- I guess the land  
11 use is CSV. It's also a wetland, and it's a  
12 conservation easement from the St. Johns River  
13 [sic] Management District. That -- it's  
14 wetlands and it continues through Collins  
15 Road -- north through Collins Road, and I  
16 suspected up into this property. I'm not sure  
17 because I don't have the -- the maps for that.  
18 So that brings a big question, see, because it  
19 is native wetlands in that -- all that area.

20 And the next thing I'm concerned about is  
21 the stormwater. The drainage along Collins  
22 Road in that area flows east to a large pond in  
23 the WaterMill Master Association area. And  
24 it -- the -- the hurricanes which we had -- the  
25 big -- or last hurricane -- I want to say 2015.

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42

1 The -- that -- the structures overflowed and  
2 they -- the stormwater flooded two roads,  
3 Bridgecreek Road [sic] and Leafcrest Drive.  
4 And so we're very concerned about the storm  
5 waters coming off of this property, and so  
6 that's why I -- we -- I reject it.

7 Have any questions?

8 THE CHAIRMAN: No, sir. Thank you. We're  
9 okay. Thank you, Mr. Martin. Thanks for being  
10 here.

11 MR. MARTIN: You're welcome.

12 THE CHAIRMAN: All right. With that,  
13 Ms. Mejia, would you like a moment for rebuttal?

14 MS. MEJIA: Thank you.

15 THE CHAIRMAN: Thank you, sir.

16 (Ms. Mejia approaches the podium.)

17 Taylor.

18 THE CHAIRMAN: Your name, please?

19 MS. MEJIA: Taylor Mejia, 208 North Laura  
20 Street.

21 So Mr. Martin is correct. Once Old  
22 Middleburg -- the construction begins, there  
23 will be only a right-in/right-out on Collins  
24 and a right-in/right-out on Old Middleburg.

25 From my understanding and conversations

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43

1 with Public Works is that a median is most  
2 likely to be put in on Old Middleburg, and that  
3 will prevent any southbound traffic from  
4 turning left into the development. So he is  
5 correct about that.

6 As far as any wetlands or stormwater  
7 concerns, we do address impact on wetlands in  
8 the written description, and we'll be sure to  
9 permit those correctly if needed. And we will  
10 also follow any requirements during the  
11 permitting review phase for stormwater and  
12 drainage.

13 THE CHAIRMAN: Great. Thank you, Ms. Mejia.

14 MS. MEJIA: Thanks.

15 THE CHAIRMAN: Is there anyone else here  
16 today to speak on 2021-0167 or 2021-0168?

17 AUDIENCE MEMBERS: (No response.)

18 THE CHAIRMAN: Seeing none, I'll close the  
19 public hearing and bring it back to the  
20 Commission.

21 COMMISSIONER HACKER: Mr. Chairman, I move  
22 to approve 2021-0167.

23 COMMISSIONER MOLDOVAN: Second.

24 THE CHAIRMAN: I have a motion and a  
25 second for approval of 2021-0167.

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44

1 Any discussion from the Commission?

2 COMMISSION MEMBERS: (No response.)

3 THE CHAIRMAN: Seeing none, I have a  
4 motion and a second for approval.

5 All those in favor?

6 COMMISSION MEMBERS: Aye.

7 THE CHAIRMAN: Any opposed?

8 COMMISSION MEMBERS: (No response.)

9 THE CHAIRMAN: That motion passes.

10 COMMISSIONER HACKER: Mr. Chairman, I move  
11 to approve 2021-0168 with the conditions listed  
12 in the staff report.

13 COMMISSIONER MOLDOVAN: Second.

14 THE CHAIRMAN: I have a motion and a  
15 second for approval of 2021-0168 with the  
16 conditions listed in the staff report.

17 Commissioner Blanchard.

18 COMMISSIONER BLANCHARD: Thank you,  
19 Chairman.

20 Through the Chair to staff, could I get  
21 some clarification on Condition 2? It's  
22 Section D-1 concerning land clearing and  
23 processing of land-clearing debris will be  
24 removed and not allowed.

25 I couldn't find Section D-1, and maybe I

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45

1 wasn't looking in the right spot, but help  
2 guide me on that, if you would.

3 MS. MEJIA: It's the section of the  
4 written description.

5 MR. LEWIS: Give me just a second and  
6 we'll figure out you why that condition is in  
7 there.

8 THE CHAIRMAN: Commissioner Blanchard, may  
9 I have the floor for a moment?

10 COMMISSIONER BLANCHARD: Of course.

11 THE CHAIRMAN: Ms. Mejia, are you  
12 agreeable to the conditions?

13 MS. MEJIA: Yes.

14 THE CHAIRMAN: Okay. Great.

15 MR. HUXFORD: It looks like we put that in  
16 there because they're still going to be able to  
17 clear the site to develop it with a commercial  
18 project.

19 According to Kristen, that came from  
20 Community Planning out of a concern about it  
21 just being a land-clearing operation, which is  
22 not really the proposed use. It's going to be  
23 a shopping center. So even with that  
24 condition, they can still build what they are  
25 seeking to build.

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46

1 THE CHAIRMAN: Great. Thank you, Folks.  
2 I'm sorry, Commissioner Blanchard.

3 COMMISSIONER BLANCHARD: Through the Chair  
4 to staff, I mean, what is D-1? Where is D-1  
5 coming from? Show me that. Show me D and 1.

6 MR. LEWIS: D-1 is in the written  
7 description. It's --

8 COMMISSIONER BLANCHARD: It says,  
9 landscaping the property shall be developed in  
10 accordance with Part 12. That's just a D.  
11 There's no 1.

12 MR. LEWIS: So it's the fourth page.

13 COMMISSIONER BLANCHARD: Of?

14 MR. LEWIS: Right above Design Guidelines,  
15 at the bottom.

16 COMMISSIONER BLANCHARD: So Section 4, D-1  
17 is what you're referring to, correct?

18 MR. LEWIS: Correct.

19 COMMISSIONER BLANCHARD: And, I mean,  
20 that's a very unusual condition.

21 To the applicant, you're good with that?

22 MS. MEJIA: We are.

23 COMMISSIONER BLANCHARD: I wouldn't be,  
24 but if you're good, I'm good -- we're good.

25 THE CHAIRMAN: Commissioner Blanchard, I

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47

1 would be inclined to see that removed myself,  
2 and the reason being, I don't like to see a  
3 condition stopping land-clearing. Although I  
4 do understand the interpretation, it's not  
5 something we've ever seen before here, and it  
6 seems like it's extemporaneous.

7 Why say -- you know, there's nearly an  
8 infinite number of things that are not going to  
9 happen here that we haven't listed out that are  
10 not going to happen, and so I'd hate to start  
11 going down that -- that rabbit hole in the  
12 future, setting a precedent.

13 With all respect to the City staff, I  
14 just -- I'm not entirely comfortable with that  
15 condition either, although I don't want to  
16 create problems at LUZ either, so ...

17 Commissioner Brown.

18 COMMISSIONER BROWN: I would also be in  
19 support of removing Number 2, largely because  
20 it jumped out at me as unnecessary for a  
21 cleared site. Based on the 2020 aerial, I  
22 didn't understand why that was there in the  
23 first place.

24 MR. HUXFORD: If the Planning Commission  
25 is more comfortable removing that for right

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48

1 now, that's fine. And I'll have the  
2 conversation with Taylor and Mr. Hagan and get  
3 a little deeper understanding as to why that's  
4 in there. And then we'll come up with  
5 something we can all agree on by the time we  
6 get to LUZ.

7 THE CHAIRMAN: Thank you, Folks.  
8 Further discussion?

9 Commissioner Hacker.

10 COMMISSIONER HACKER: I appreciate the  
11 resident's testimony. I can see why he had a  
12 little bit of heartburn, but this seems to be a  
13 natural progression of the development going on  
14 in that area and all the new communities.

15 Would you like me to amend the motion for  
16 removing Condition Number 2?

17 THE CHAIRMAN: I would like it, yes, sir.

18 COMMISSIONER HACKER: Okay. I'd like to  
19 amend my motion. So move to approve 2021-0168  
20 with only Condition 1 listed in the staff  
21 report.

22 COMMISSIONER MOLDOVAN: Second.

23 THE CHAIRMAN: I have a motion and a  
24 second for approval of 2021-0168 with the one  
25 condition, Condition 1, from the staff report.

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49

1 Any further discussion from the Commission?

2 COMMISSION MEMBERS: (No response.)

3 THE CHAIRMAN: Seeing none, I have a

4 motion and a second for approval.

5 All those in favor?

6 COMMISSION MEMBERS: Aye.

7 THE CHAIRMAN: Any opposed?

8 COMMISSION MEMBERS: (No response.)

9 THE CHAIRMAN: That motion passes. Thank

10 you.

11 MS. MEJIA: Thank you.

12 THE CHAIRMAN: Could we please go to

13 2021-0137, Starratt Road.

14 MR. HUXFORD: Thank you, Mr. Chairman.

15 Application for rezoning, Ordinance

16 2021-0137 is for property at 3917 Starratt

17 Road, up on the Northside, seeking to rezone

18 just over 22 acres from the RR-Acre zoning

19 district to the RLD-100-A. The difference is

20 the existing zoning allows for residential

21 development on one-acre lots. The proposed

22 zoning district would allow for residential

23 development on half-acre lots.

24 Staff reviewed the application. We would

25 note that the next one -- the next application

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50

1 you're going to take up is for an abutting

2 property, so they're side by side, with the

3 same request. You have essentially got the

4 same staff report, and we're forwarding to you

5 a recommendation to approve.

6 THE CHAIRMAN: Thank you, Folks.

7 Mr. Hart. Hart Resources.

8 (Mr. Hart approaches the podium.)

9 MR. HART: Curtis Hart, 8051 Tara Lane,

10 Jacksonville.

11 THE CHAIRMAN: Thank you, sir.

12 MR. HART: Mr. Chairman, members of the

13 Commission, this is an application for

14 half-acre lots. Actually, it turned out to be

15 0.65 of an acre. It's 35 lots on 24 acres.

16 I would note that for the first time in

17 the history of my doing this, CPAC actually

18 voted in favor. Okay? So I expect y'all to

19 vote against.

20 Anyway, if you have any questions, I'll be

21 glad to answer them. I've got the support of

22 CPAC.

23 I don't know if we have any opposition or

24 not, but I'm doing half-acre -- minimum

25 half-acre lots -- most of them are larger -- on

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51

1 a parcel of land on Starratt Road.

2 And it -- it's both of these if you want

3 to consider -- I just got them under contracts

4 and had to apply different -- you know,

5 different applications, but it's one parcel of

6 land.

7 THE CHAIRMAN: Great. Thank you, Mr. Hart.

8 I do have one speaker in opposition, so I

9 will give you a chance for rebuttal.

10 Christian [sic] Pruitt.

11 (Audience member approaches the podium.)

12 THE CHAIRMAN: Hello. Your name and

13 address, please, for the record.

14 AUDIENCE MEMBER: I'm Christalyn Pruitt.

15 That's P-r-u-i-t-t. I live at 3835 Starratt

16 Drive, Jacksonville -- excuse me, that's

17 Starratt Road, 32226.

18 THE CHAIRMAN: Okay. If you would get

19 into this mic, please, we would appreciate it.

20 Go ahead, please.

21 MS. PRUITT: I am in opposition. And it's

22 not just me; I have letters from the rest of

23 the neighborhood. Unfortunately, this meeting

24 was kind of thrown on us very quickly, and a

25 lot of working people in the neighborhood were

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52

1 unable to attend the meeting.

2 There's a lot of questions about not just

3 the lot size, which does -- it is not in

4 keeping of the neighborhood. There's also --

5 with the addition of these houses, there

6 probably being a retention pond -- and the

7 question isn't necessarily the lot size; it's

8 the lot elevation, because we're dealing with

9 some issues with traffic. We're dealing with

10 issues with additional water on our properties,

11 additional wildlife on our properties. They

12 are getting pushed out of everywhere.

13 There's a lot of questions we have, and

14 we've not really been able to address those

15 issues with anyone, especially, like I said,

16 since this is just really been thrown on a lot

17 of people. We are not able to -- we don't even

18 know who to reach out to to find out what the

19 requirements are going to be for this

20 neighborhood. And we're very concerned that

21 our property values -- because we did buy

22 rural. We want to keep it rural. We're

23 looking at -- you know, we don't like the light

24 pollution, the noise pollution, the traffic.

25 There are several large developments

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2021-0374  
ON FILE

53

1 already we have in the neighborhood that are  
2 not even at capacity and traffic is just  
3 ridiculous, to the point where I have, on two  
4 occasions since I have been there, had to just  
5 go back home and wait it out for hours. Every  
6 time one of the two streets you can get out of  
7 our neighborhood goes down, we're just trapped.  
8 There is nowhere you can go. We lose a tree, a  
9 water main, anything, you are trapped in your  
10 neighborhood.

11 The schools are over capacity. There's  
12 just a lot going on. There's a new  
13 subdivision, by the way, going on that we don't  
14 know the impact of that yet. It's not built  
15 yet. It's on the corner of Yellow Bluff and  
16 Starratt also.

17 And we would like at least for this  
18 committee to look at a traffic study, the  
19 ecological and environmental impacts, because  
20 this property does butt up against a waterway.  
21 And also, the impacts on the -- the  
22 construction. Once they start trying to put in  
23 sewer, when they rip the street up, how are we  
24 going to get out of our houses? How are we  
25 going to function on a day-to-day basis? And

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54

1 how long is this going to take? We have no  
2 answers to any of the questions. So that's the  
3 concerns that we have.

4 THE CHAIRMAN: Great. Thank you, Ms. Pruitt.

5 MS. PRUITT: Thank you.

6 THE CHAIRMAN: I have one more here, a  
7 Keith Howard.

8 (Audience member approaches the podium.)

9 THE CHAIRMAN: Your name and address  
10 please, sir.

11 AUDIENCE MEMBER: Keith Howard, 3915  
12 Starratt Road, Jacksonville, Florida 32226.

13 THE CHAIRMAN: All right. Go ahead,  
14 please, sir.

15 MR. HOWARD: Pardon me?

16 THE CHAIRMAN: Go ahead, please.

17 MR. HOWARD: I just want to go on record  
18 as I support this rezoning. Essentially, it's  
19 the same. With RR, you can have animals; with  
20 RLD-100, you cannot. And I'm speaking of  
21 hooved animals such as horses and cows and  
22 those kinds of things. I just want to go on  
23 record.

24 THE CHAIRMAN: Thank you, sir.

25 All right. Is there anyone else here

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55

1 today to speak on 2021-0137?

2 AUDIENCE MEMBERS: (No response.)

3 THE CHAIRMAN: Seeing none, I'll close the  
4 public hearing -- Mr. Hart, I'm sorry. Would  
5 you like a moment for rebuttal?

6 (Mr. Hart approaches the podium.)

7 MR. HART: Just a couple of things. One,  
8 I could do 25 lots by right right now without  
9 coming here, and to be able to bring utilities  
10 in here. And I -- you know, I have to bring it  
11 from the next subdivision, which will, by the  
12 way, bring fire service to this area that it  
13 doesn't have. So I've got to bring at least a  
14 minimum of an 8- to 10-inch water line some  
15 1,600 feet. And every 500 feet, I have to put  
16 hydrants. And within my subdivisions, I have  
17 to put hydrants.

18 We pay a traffic impact fee for the right  
19 to build houses in here, and I do not think  
20 going from an allowable 25 houses to 35 houses  
21 is too much to ask.

22 Appreciate your support. Thank you.

23 THE CHAIRMAN: Thank you, Mr. Hart.

24 MR. HART: Any questions?

25 THE CHAIRMAN: We're good for now, sir.

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56

1 Thank you.

2 Is there anyone else here today to speak  
3 on 2021-0137?

4 AUDIENCE MEMBERS: (No response.)

5 THE CHAIRMAN: Seeing none, I'll close the  
6 public hearing and bring it back to the  
7 Commission.

8 COMMISSIONER HACKER: Mr. Chairman, I move  
9 approval of 2021-0137.

10 COMMISSIONER MOLDOVAN: Second.

11 THE CHAIRMAN: All right. I have a motion  
12 and a second for approval of 2021-0137.

13 Discussion from the Commission?

14 Commissioner Hacker.

15 COMMISSIONER HACKER: Thank you, Mr. Chair.

16 When I saw the -- today's agenda, it  
17 surprised me that we saw RR-Acre going to  
18 RLD-100. Typically, we see it to a much  
19 tighter, more dense zoning. So nod to Mr. Hart  
20 for getting CPAC approval and going with a  
21 wider lot. I think -- I suspect he might have  
22 been able to get away with something more  
23 tight, so I think that definitely makes sense  
24 in this area.

25 Ms. Pruitt, I would encourage you to grab

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57

1 Curtis -- Mr. Hart after this, and he will  
2 answer some of those questions you had. I  
3 think those are valid concerns, and I know he  
4 will have the right answers for you that you're  
5 looking for.

6 But in my opinion, this is -- this is a  
7 good move. It, you know, keeps housing  
8 affordable, still has big lots, which makes  
9 sense for this area, so I support it.

10 THE CHAIRMAN: Thank you, Commissioner Hacker.  
11 Commissioner Blanchard.

12 COMMISSIONER BLANCHARD: Thank you, Chairman.  
13 Mr. Hart, can I ask you a question, if I  
14 could, sir?

15 MR. HART: Absolutely.

16 COMMISSIONER BLANCHARD: There's a  
17 community that's maybe a quarter of a mile or  
18 less to the west. I think it's Amelia something.

19 MR. HART: View.

20 COMMISSIONER BLANCHARD: Amelia View.

21 Okay. Do you know what size lots are in there?

22 MR. HART: I think they're 70s to 90s.

23 And some on the river -- or the Clapboard Creek  
24 are larger.

25 COMMISSIONER BLANCHARD: I was thinking  
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58

1 they were 70s or 60s, but I'll have to echo the  
2 comments of Commissioner Hacker that I'm  
3 surprised you didn't ask for 60s or 70s because  
4 that's what is next door. And I think that  
5 asking for 100-foot lots is very gracious in  
6 this area and certainly makes a lot of sense.  
7 And I'm shocked that you got the CPAC to  
8 endorse it, so I'm sure there's a lot of hard  
9 work that went into that, and congratulations  
10 on that.

11 MR. HART: I'm shocked that someone came  
12 to support me, too.

13 COMMISSIONER BLANCHARD: I think this is  
14 the right move and really just a great -- a  
15 great middle ground without having to fight for  
16 it, so I would support this.

17 MR. HART: Thank you.

18 THE CHAIRMAN: Thank you, Commissioner  
19 Blanchard.

20 Further discussion from the Commission?

21 COMMISSION MEMBERS: (No response.)

22 THE CHAIRMAN: Seeing none, I have a  
23 motion and a second for approval.

24 All those in favor?

25 COMMISSION MEMBERS: Aye.

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59

1 THE CHAIRMAN: Any opposed?

2 COMMISSION MEMBERS: (No response.)

3 THE CHAIRMAN: That motion passes.

4 Could we please open the public hearing on  
5 2021-0171, Starratt Road.

6 MR. HUXFORD: Thank you.

7 Application for rezoning, Ordinance

8 2021-0171 is for property at 3917 [sic]

9 Starratt Road. This is contiguous and abutting

10 the one you just considered. Also seeking to  
11 go from RR-Acre to the RLD-100-A. This is just  
12 a small, half-acre piece. As Mr. Hart said,  
13 it's just under a different contract.

14 But for the same reasons as the other one,  
15 staff has no objections and we recommend  
16 approval.

17 THE CHAIRMAN: Thank you, Folks.

18 Mr. Hart.

19 (Mr. Hart approaches the podium.)

20 MR. HART: Mr. Chairman, I bought this --

21 or I have this under contract for defense.

22 Actually, this parcel has a large easement

23 running through the middle of the first parcel

24 and I needed to acquire this piece in order to

25 make the first piece work and was able to do

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60

1 that. And for the same reasons, I would ask  
2 for your support.

3 THE CHAIRMAN: Thank you, sir.

4 MR. HART: (Inaudible.)

5 THE CHAIRMAN: Thank you, sir.

6 All right. Is there anyone else here  
7 today to speak on 2021-0171?

8 AUDIENCE MEMBERS: (No response.)

9 THE CHAIRMAN: Seeing none, I'll close the  
10 public hearing and bring it back to the  
11 Commission.

12 COMMISSIONER HACKER: Mr. Chairman, I move  
13 to approve 2021-0171.

14 COMMISSIONER MOLDOVAN: Second.

15 THE CHAIRMAN: I have a motion and a  
16 second for approval of 2021-0171.

17 Any discussion from the Commission?

18 COMMISSION MEMBERS: (No response.)

19 THE CHAIRMAN: Seeing none, I have a  
20 motion and a second for approval.

21 All those in favor?

22 COMMISSION MEMBERS: Aye.

23 THE CHAIRMAN: Any opposed?

24 COMMISSION MEMBERS: (No response.)

25 THE CHAIRMAN: That motion passes.

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2021-374  
ON FILE

61

1 Okay. Could we please go to 2021-0169,  
2 McCormick Road.

3 MR. LEWIS: Thank you, Mr. Chairman.

4 This is application for a Planned Unit  
5 Development. 2021-0169 is rezoning 2.5 acres  
6 from PUD to PUD. It's being sought to  
7 eliminate certain uses from the existing PUD,  
8 such as a filling station, car wash, and any  
9 other uses that are open 24 hours. It is  
10 increasing the allowed commercial square  
11 footage from 7,000 to 17,000 square feet.  
12 Additionally, all the uses within the PUD are  
13 limited to 12 open business hours per day.

14 Staff has reviewed this application. We  
15 do find it's consistent with the Comprehensive  
16 Plan. This is in the CGC land use category at  
17 the corner of McCormick Road and Kernan  
18 Boulevard South.

19 Again, we find that -- with the written  
20 description and the site plan and the  
21 limitations in there, we find it is appropriate  
22 for the area, and so we are recommending  
23 approval of 2021-0169 with the three exhibits  
24 and the one condition concerning lighting. We  
25 feel that's important. This area is still very

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62

1 much residential. There's some residential  
2 behind it, and we think it's important to  
3 control that aspect.

4 I believe the agent does have a revised  
5 site plan that's dated April 22nd. It appears  
6 to be very similar to the one that's in your  
7 book, but it does have some -- it looks like  
8 some improvements for the bus stop that's there  
9 on McCormick, but I'll let the agent talk about  
10 that.

11 Thank you.

12 THE CHAIRMAN: Thank you, Bruce.  
13 (Mr. Herzberg approaches the podium.)  
14 THE CHAIRMAN: Mike.

15 MR. HERZBERG: Mr. Chairman, my name is  
16 Mike Herzberg. Address is One Sleiman Parkway.

17 Do I need to be sworn --

18 THE CHAIRMAN: No, sir, you're good.

19 MR. HERZBERG: Thank you very much. Thank  
20 you for this opportunity.

21 Can I ask too, is there another -- any  
22 other speakers on the --

23 THE CHAIRMAN: I don't have any cards in  
24 opposition, no, sir.

25 MR. HERZBERG: And the reason I ask,

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63

1 gentlemen, is there was some opposition when we  
2 started the project. I had conferred with that  
3 gentleman, explained to him that what we were  
4 actually doing here was eliminating a gas  
5 station use.

6 When we acquired the property, the  
7 property was zoned for a gas station with a car  
8 wash. Each of those would be about 10 feet off  
9 the property line. That would, obviously, have  
10 been capable of being a 24-hour business, sell  
11 alcoholic beverages, and things of that nature.

12 What we're asking to do is eliminate that  
13 use and, instead, increase the building size.  
14 So by getting rid of such use -- we obviously  
15 need to make the property perform, and in doing  
16 so, an increase in the retail size would allow  
17 us to do that.

18 We've laid out a plan that tries to orient  
19 the building towards the two major roadways,  
20 kind of turning its back towards the -- the  
21 residential areas to the south and offering  
22 expansive buffers along both of those property  
23 lines.

24 In consultation with the councilman, we  
25 have revised our site plan, as Mr. Lewis said

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64

1 this morning, to include a -- kind of a walkway  
2 area and a paved bench area for the bus stop.  
3 You will see something of a similar nature that  
4 Mr. Mann and I worked on at a Wawa gas station  
5 at McCormick and Monument. So the councilman  
6 had asked if we'd incorporate that same type of  
7 design feature here, to kind of maintain that  
8 along the Wonderwood Corridor, and we were glad  
9 to do so. So I wanted to turn that in as part  
10 of the application today.

11 THE CHAIRMAN: Great. Thank you, Mike.

12 MR. HERZBERG: Thank you.

13 THE CHAIRMAN: All right. Is there anyone  
14 else here today to speak on 2021-0169?

15 AUDIENCE MEMBERS: (No response.)

16 THE CHAIRMAN: Seeing none, I'll close the  
17 public hearing and bring it back to the  
18 Commission.

19 COMMISSIONER HACKER: Mr. Chairman, I move  
20 to approve 2021-0169 with the conditions in the  
21 staff report.

22 Thanks.

23 COMMISSIONER MOLDOVAN: Second.

24 THE CHAIRMAN: All right. I have a motion  
25 and a second for approval of 2021-0169 with the

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65

1 conditions in the staff report.  
2 Any discussion from the Commission?  
3 Commissioner Brown.  
4 COMMISSIONER BROWN: Thank you.  
5 Through the Chair, Mr. Herzberg, what is  
6 the proposed use? I know it's a larger  
7 building. Was it retail and office? I just  
8 want to make sure I got it right.  
9 MR. HERZBERG: Through the Chair, sir, we  
10 would actually allow still some retail uses.  
11 So there is the potential for a multi-tenant  
12 retail, but, again, we've -- we're not allowing  
13 liquor sales or anything of that nature. The  
14 uses are extremely paired down that we are  
15 allowing here, sort of a CCG-1, but very, very  
16 limited.  
17 We do see it as probably being a one-user,  
18 but at the same time we needed to make sure we  
19 had the square footage that would make the  
20 property -- keep up with the tax base that'll  
21 be applicable to it, or the taxes that'll be  
22 applicable to it, so it might be one, it might  
23 be up to three tenants.  
24 THE CHAIRMAN: I'm sorry, can we get --  
25 can we have you guys stop the conversation?  
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66

1 Thank you.  
2 Sorry, Mr. Herzberg.  
3 MR. HERZBERG: Thank you, sir.  
4 COMMISSIONER BROWN: Thank you.  
5 THE CHAIRMAN: All right. Commissioner  
6 Hacker.  
7 COMMISSIONER HACKER: Thank you.  
8 Through the Chair to Mr. Herzberg, I had a  
9 similar question to Commissioner Brown, whether  
10 it was a multiuse tenant or -- you just don't  
11 know at this time? Any --  
12 MR. HERZBERG: Through the Chair, correct,  
13 sir. The idea here is to obviously build a  
14 shell, and then if someone can use more of the  
15 shell or all of the shell, we would obviously  
16 put that out there. But if we're only able to  
17 lease a portion thereof, then we would save  
18 some of the additional space for another  
19 permitted user.  
20 COMMISSIONER HACKER: Okay. So a shell is  
21 forthcoming sooner than later --  
22 MR. HERZBERG: Yes.  
23 COMMISSIONER HACKER: -- Is that right?  
24 Okay. My neck of the woods, so I wanted  
25 to see what you've got there.  
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67

1 MR. HERZBERG: Okay.  
2 COMMISSIONER HACKER: Thanks.  
3 THE CHAIRMAN: All right. Further  
4 discussion from the Commission?  
5 COMMISSION MEMBERS: (No response.)  
6 THE CHAIRMAN: Seeing none, I have a  
7 motion and a second for approval.  
8 All those in favor?  
9 COMMISSION MEMBERS: Aye.  
10 THE CHAIRMAN: Any opposed?  
11 COMMISSION MEMBERS: (No response.)  
12 THE CHAIRMAN: That motion passes.  
13 Thank you, Mr. Herzberg.  
14 MR. HERZBERG: Thank you all.  
15 THE CHAIRMAN: Yes, sir.  
16 All right. Can we please go to Page 3 and  
17 4, E-21-16 and WLD-21-04, San Jose Boulevard.  
18 MR. HUXFORD: Are you ready, sir?  
19 THE CHAIRMAN: Yes, sir.  
20 MR. HUXFORD: Save the best for the last.  
21 Application for zoning exception E-21-16  
22 is for property at 10140 San Jose Boulevard.  
23 This is at the intersection of San Jose and  
24 Haley Road. The exception is asking for retail  
25 sales and service of all alcoholic beverages in  
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68

1 conjunction with food and to have an outdoor  
2 seating area. This is to be a restaurant, and  
3 they would have -- they want to have a quota  
4 liquor license, like a lounge would. This  
5 would be for an SRX license, as any restaurant  
6 with 150 seats would have.  
7 This was previously an old Village Inn, so  
8 it does have a history of food service. We  
9 would note that the Planning Commission just  
10 recently approved the Blue Bamboo two doors up  
11 from this. And I believe -- when I drove by,  
12 it looked like they were already up and  
13 running.  
14 In this case, the restaurant would have  
15 177 seats. Given that it is in the CCG-1  
16 zoning district along a commercial corridor,  
17 as -- If you look at it from the viewpoint of  
18 San Jose Boulevard, we felt that the request  
19 was reasonable in that context and we forward  
20 to you a recommendation to approve.  
21 There is a waiver that is companion to  
22 this, WLD-21-04, seeking to reduce the distance  
23 from this establishment, specifically the  
24 building, to the closest church or -- I'm  
25 sorry, house of worship or school. And they're  
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69

1 seeking to reduce from 500 feet to 110 feet.  
2 And as I'm sure you heard from the  
3 community, there is a religious institution  
4 immediately behind this. But using the  
5 precedent that was established with the  
6 Blue Bamboo, staff was comfortable, again, with  
7 the commercial infill at this location, and so  
8 we forward to you a recommendation to approve  
9 with no conditions.

10 Thank you.  
11 (Secretary Hacker assumes the Chair.)  
12 (Mr. Hainline approaches the podium.)  
13 SECRETARY HACKER: Thank you, Folks.

14 Mr. Hainline, name and address for the  
15 record, please.

16 MR. HAINLINE: T.R. Hainline, 1301  
17 Riverplace Boulevard.

18 SECRETARY HACKER: Thank you.  
19 (Chairman Garrison resumes the Chair.)

20 THE CHAIRMAN: Go ahead, please, sir.

21 MR. HAINLINE: Okay. T.R. Hainline, 1301  
22 Riverplace Boulevard.

23 I'm here representing Time Out Sports  
24 Grill Mandarin, LLC.

25 As Mr. Huxford said, this is an exception

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70

1 for alcohol and outside sale and service. It's  
2 a fairly large corner site at San Jose and  
3 Haley. And as Mr. Huxford said, it's the site  
4 of the former Village Inn restaurant. That  
5 closed in 2016. When the Village Inn was open,  
6 it closed at 11 p.m. on weekday nights and was  
7 open 24 hours a day on weekends.

8 The site has excellent access and plenty  
9 of parking, more than the required parking  
10 needed for this proposed use. As Mr. Huxford  
11 said, there are other restaurants with  
12 full-service liquor in the area, in the  
13 immediate area. There are fast-food  
14 restaurants and gas stations, all in the CCG-1  
15 zoning district that is up and down San Jose  
16 at -- in this immediate area.

17 The Planning Department's -- in its  
18 report, specifically cites two recent  
19 exceptions for restaurants with liquor approved  
20 in the immediate area; as Mr. Huxford said, the  
21 Blue Bamboo, but also -- which abuts some of  
22 these religious entity properties, and the Red  
23 Crab seafood restaurant across the way.

24 Also, just one building north of the  
25 Blue Bamboo is the Barking Spider Pub. I don't

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71

1 know if there's an exception there, but the use  
2 is there. It may be grandfathered or something  
3 like that. But within CCG-1 in the immediate  
4 area there are other uses similar to that that  
5 is proposed here.

6 And as the Commission well knows, seeking  
7 a zoning exception -- sometimes in -- other  
8 jurisdictions call it conditional uses, not  
9 like seeking a rezoning. This use is listed in  
10 CCG-1 as permissible if we meet certain  
11 criteria. And the Planning Department, in its  
12 report, went through each of those criteria one  
13 by one and has opined to you that we meet those  
14 criteria.

15 The proposed tenant of the building is  
16 Time Out Sports Grill, and Matt Harris is here.  
17 He'll speak in a moment. That is a local  
18 family-owned business and it's a full-service  
19 restaurant. He's got some menus he's going to  
20 pass out to you.

21 We believe that at this location in  
22 Mandarin, this use will be similar to something  
23 like Players Grille. And Mr. Harris wants to  
24 tailor the restaurant to what he believes is a  
25 more family-oriented crowd, like is at Players

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72

1 Grille.

2 We understand the concerns of the  
3 neighbors. We believe that other uses  
4 permitted in right -- by right in CCG-1 could  
5 have negative impacts. To address their  
6 concerns, Mr. Harris met with the rabbis of the  
7 nearby synagogues on multiple occasions, as  
8 well as the pastor of the nearby Korean church.

9 To address the concerns of one of the  
10 synagogues across San Jose, Mr. Harris, he will  
11 tell you this, he agreed in writing to hire a  
12 security guard Friday nights to escort people  
13 from the neighborhood on Haley across San Jose  
14 to the synagogue over there on Friday nights.  
15 And we can give you that email in writing if  
16 you'd -- if you'd like that.

17 And the last thing I'm going to say is  
18 we -- it's very important. Again, hearing the  
19 concerns of the neighbors, Mr. Harris has  
20 agreed to take the outside patio seating, which  
21 was oriented primarily towards Haley Road, and  
22 move it around to the east, to face out on  
23 San Jose. And I have a revised site plan here.  
24 The architect is also here and he might speak  
25 to this, but --

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73

1 So that outside seating, which now -- in  
2 the original plan filed with the application  
3 was oriented much towards Haley Road, will be  
4 shifted entirely to be oriented out towards  
5 San Jose where there's a lot of traffic noise  
6 and other things, and out towards San Jose,  
7 which is definitely a commercial corridor at  
8 that location.

9 So I'll pass out these revised site plans.  
10 I did send these to Mr. Huxford earlier today.  
11 He took a look at them and didn't have any  
12 objections to anything.

13 The new plan, all it does is shift that  
14 outdoor area focus and orient it towards  
15 San Jose. It doesn't add seats, it doesn't  
16 take away parking below the required number, it  
17 doesn't change the access or anything like  
18 that.

19 So I have those copies. I'll -- here we  
20 go.

21 (Tenders documents.)

22 MR. HAINLINE: And, with that, I'm happy  
23 to answer any questions, but Mr. Harris is  
24 going to come up here, as well as the owner of  
25 the property and some others to talk to you

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74

1 about it, so thank you.

2 If there are no questions for me, I'll  
3 turn it over to them.

4 THE CHAIRMAN: Yes, please. Thank you,  
5 T.R.

6 MR. HAINLINE: Thank you.  
7 (Audience member approaches the podium.)

8 THE CHAIRMAN: Your name and address for  
9 the record, please, sir.

10 AUDIENCE MEMBER: Yes, sir.  
11 Matt Harris, 9446 Silhouette Lane,  
12 Jacksonville, Florida 32257.

13 THE CHAIRMAN: Great. And Ms. Tropia will  
14 swear you in.

15 THE REPORTER: If you would raise your  
16 right hand for me, please.

17 MR. HARRIS: (Complies.)

18 THE REPORTER: Do you affirm that the  
19 testimony you are about to give will be the  
20 truth, the whole truth, and nothing but the  
21 truth?

22 MR. HARRIS: Yes, ma'am.

23 THE REPORTER: Thank you.

24 THE CHAIRMAN: Go ahead, please.

25 MR. HARRIS: So when I started this

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75

1 company five years ago, I was deciding what  
2 city to do it in. I picked Jacksonville. It's  
3 a growing city and Mandarin deserves to get on  
4 the map, be part of the growth. And they want  
5 to be a part of the growth. Dennis Chang  
6 (phonetic) saw the same vision, but he knows  
7 you have to be a full-service restaurant to be  
8 successful. And the menu is in front of you.

9 You will see I sell ten chicken wings for  
10 11.99. Right now I'm paying \$150 for a case of  
11 wings when usually I pay between 77 and \$87.  
12 Now, that's a variable cost in the industry.

13 But in order to keep sustainable, you must not  
14 cut yourself short.

15 By having a full-service restaurant, we'll  
16 be able to appeal to all customers. So when  
17 people come in on game days with their  
18 families, with their friends, give them  
19 somewhere else to go besides the Ale House,  
20 besides Hurricane's, which is actually in  
21 San Marco, allow them to have a full-service  
22 experience.

23 I've got a number of texts and emails with  
24 support. They usually say, "Finally, something  
25 to do, someplace I can bring my family.

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76

1 There's only so many times that we can have  
2 soccer teams, basketball teams meet at the  
3 Ale House." The secret's out. This has been  
4 done over and over again.

5 Dennis Chang saw the same vision when he  
6 came in here. He saw two vacant buildings only  
7 split by a Popeye's and saw the vision and the  
8 growth in Mandarin. This area, which was once  
9 just these two vacant buildings and a Popeye's,  
10 now will have Blue Bamboo, and Time Out, the  
11 only local and neighborhood sports bar and  
12 restaurant.

13 And that's the goal here, we want to build  
14 with the community, which is why I worked with  
15 the rabbis, which is why I'm willing to pay for  
16 the security guard. We know safety is a  
17 priority. During winter break, we're going to  
18 have a three-on-three basketball tournament.

19 All the money we raise will benefit the Boys &  
20 Girls Clubs. It's for middle school and high  
21 school students. Sure, it's three weeks long.

22 The first week you hang out with friends, but  
23 kids need more to do during that time off.

24 Now, outside dining, the only reason we  
25 want it is because I just went through COVID.

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2021-374  
ON FILE

77

1 I know what that's like to have a shutdown, to  
2 get there at 8 o'clock in the morning,  
3 resanitize, rebleach, reclean everything we  
4 just did at closing time. So by adding this,  
5 we'll get those customers as well.

6 You know, the Mandarin area is community.  
7 We want families to come together, give them an  
8 opportunity to order food, to eat pizza, and  
9 just have a great time watching sports.

10 Any questions?

11 THE CHAIRMAN: Thank you, sir. Do you  
12 have anything further?

13 MR. HARRIS: So I get asked all the time,  
14 you know --

15 THE CHAIRMAN: And we're limiting everyone  
16 to a three-minute -- I understand you're the  
17 owner as well, so if would you keep it brief --

18 MR. HARRIS: Sure.

19 THE CHAIRMAN: -- to respect all the  
20 different people, so --

21 MR. HARRIS: Absolutely.

22 So when I began on this journey -- and we  
23 picked Jacksonville. You know, we never knew  
24 it would turn into, this is going to be home.

25 We picked the Mandarin area because I grew up

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78

1 across the street. This is the neighborhood I  
2 grew up in. We want to see them grow. We want  
3 success.

4 I remember being in high school and,  
5 really, my friends and I, we couldn't figure  
6 out what to do. Where could we just go out for  
7 a meal? This is the answer. This could really  
8 bring the people together and give a safe, nice  
9 time watching football.

10 Thank you.

11 THE CHAIRMAN: Thank you, sir.

12 All right. With that, could we please  
13 hear from Sarah Herman.

14 T.R., I do have a few speaker cards in  
15 opposition, so I'll -- and I'll give you a  
16 chance for rebuttal.

17 MR. HAINLINE: Okay. There's some others  
18 in support too.

19 THE CHAIRMAN: Yes, sir. Thank you.

20 (Audience member approaches the podium.)

21 THE CHAIRMAN: Yes, ma'am. Your name and  
22 address, please.

23 AUDIENCE MEMBER: My name is Sarah Herman.  
24 I live at 10146 Haley Road.

25 THE CHAIRMAN: All right. And Ms. Tropa

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79

1 will swear you in.

2 THE REPORTER: If you would raise your  
3 right hand for me, please.

4 MS. HERMAN: (Complies.)

5 THE REPORTER: Do you affirm that the  
6 testimony you are about to give will be the  
7 truth, the whole truth, and nothing but the  
8 truth?

9 MS. HERMAN: I affirm.

10 THE REPORTER: Thank you.

11 THE CHAIRMAN: Go ahead, please.

12 MS. HERMAN: I mean, obviously, as a  
13 homeowner who lives directly across the street,  
14 this is a big concern for me. Noise pollution  
15 and property value would be a big concern, but  
16 really the biggest concern for me is safety,  
17 having a bar that's open until 2 a.m.

18 There's actually a comment that was told  
19 to me by someone who spoke with the -- I think  
20 a City Council member or someone else that had  
21 been involved in this project, who said that  
22 one of the reasons that having alcohol  
23 served -- or primarily served versus something  
24 like Blue Bamboo where it was just served  
25 ancillary [sic] to the food is that it

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80

1 increases the value and it makes more money.  
2 And so me, I hear that and I think, well, if  
3 the primary -- if the primary objective is for  
4 people to be there getting drunk, then that  
5 sounds like a safety concern for me.

6 There's a school right behind it. There's  
7 two schools right across the street, one of  
8 which my children will go to next year,  
9 hopefully be walking to and from. And the idea  
10 of people right across the street drinking --  
11 potentially drinking and driving out of that  
12 place, it's just -- it's terrifying to me.

13 It's just -- it's a -- it's a family  
14 neighborhood. It's a walking neighborhood.

15 It's a terrible street corner. The  
16 traffic there is already a nightmare. We had,  
17 in our community, already a death walking --  
18 pedestrian death at that intersection, and so  
19 now we have a bar right on that street corner.

20 I just don't understand why it would be  
21 recommended that there be an exception for a  
22 Zoning Code that's already in place to be  
23 reduced for this establishment.

24 I would love to see a thriving  
25 establishment on that corner. It's an eyesore

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81

1 right now. I would love to see a lovely family  
2 restaurant. I just don't think a bar is a  
3 family restaurant. I don't think families are  
4 going and getting drunk at 2 a.m., and so I  
5 just -- I -- as a homeowner, as a family that  
6 lives in that area, I just don't see that it is  
7 a safe and family-oriented establishment.  
8 I love hearing the different things that  
9 the owner is expressing, but I just don't -- I  
10 don't look at the hours of operation for the  
11 current Time Out restaurant, 2 a.m., bar, I  
12 just don't see that being a family-oriented  
13 thing, and I -- it concerns me, thinking of my  
14 children trying to sleep at 2 a.m. or walking  
15 home at 4 o'clock in the afternoon and  
16 thinking, is that a safe thing for them to be  
17 doing, walking past this place where people are  
18 getting drunk, watching a basketball game,  
19 drinking pitcher after pitcher of beer? And so  
20 I don't know how that can be accommodated just  
21 because there's a safety officer or whatever  
22 accommodations he might be considering.  
23 So I really hope that you guys can take  
24 that into consideration when you think that  
25 there are school children right -- a hundred

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82

1 feet from there, and school children trying to  
2 walk to and from every single day and religious  
3 people every Friday night and every Saturday  
4 night and many other weekdays in between during  
5 our holidays. So please consider that.

6 THE CHAIRMAN: Thank you, ma'am. Thanks  
7 for being here.

8 All right. Could we please hear from  
9 David, I believe it's Levine.

10 AUDIENCE MEMBER: Levine (pronouncing),  
11 but that's close.

12 THE CHAIRMAN: Levine? Okay. Great.

13 And I'll remind everyone that we're at a  
14 three-minute speakers's limit, so please be  
15 respectful of that time.

16 (Audience member approaches the podium.)

17 THE CHAIRMAN: Your name and address,  
18 please, sir.

19 AUDIENCE MEMBER: David Levine, 2949  
20 Braemar Drive, in the neighborhood, across from  
21 the bar.

22 THE CHAIRMAN: Okay. And Ms. Tropa will  
23 swear you in.

24 THE REPORTER: If you would raise your  
25 right hand for me, please.

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83

1 MR. LEVINE: (Complies.)

2 THE REPORTER: Do you affirm that the  
3 testimony you are about to give will be the  
4 truth, the whole truth, and nothing but the  
5 truth?

6 MR. LEVINE: I do.

7 THE REPORTER: Thank you.

8 MR. LEVINE: I've lived in this  
9 neighborhood 30 years. I've watched my  
10 children grow up. We've walked to synagogue  
11 and we've watched many things happen in the  
12 neighborhood. It's been a pretty safe  
13 neighborhood. We've had some parties. You  
14 know, people move in, but this is -- I can  
15 hear -- if I open my window, I can hear 3,000  
16 feet away, San Jose. There's loud cars,  
17 there's racing, there's loud music. You can  
18 hear it from my door. So it's already not  
19 exactly the prime location to -- you know,  
20 maybe Silhouette Lane is, I don't know, but for  
21 us, we like our peace and our safety and our  
22 security, so --

23 Before COVID, I had worked out at Baileys  
24 Gym. It's right -- Monkey's Uncle moved into  
25 that strip mall. And when they moved in, oh,

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84

1 they said it's going to be great, don't worry  
2 about a thing. There are beer bottles there,  
3 broken glass, trash. And people at night that  
4 went there to Bailey's gym, they had some  
5 issues with people at Monkey's Uncle sometimes.  
6 So just to tell you -- and that's a strip mall.

7 This is not a strip mall. This is a  
8 residential neighborhood, and I can't  
9 understand why the development -- the people  
10 that approved this did because our neighborhood  
11 abuts -- the entrance is 90 feet. The entrance  
12 from Haley Road of Village Inn is 90 feet to  
13 the entrance of Starshire Cove, and that is --

14 We -- I walk a lot. You can't tell it,  
15 but I do. I walk three or four miles a day. I  
16 used to work out at Bailey's, but with COVID,  
17 you know, I stopped it. So I've seen a lot of  
18 things. So -- what did I see the other night  
19 when I was walking by Blue Bamboo? Well, Blue  
20 Bamboo is a nice restaurant. It doesn't bother  
21 us at all. The noise is inside and it's pretty  
22 far away. It's not really any -- any problem  
23 at all, but where were they parking with the  
24 overflow? Because they didn't have enough  
25 parking places for what they had. They were

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85

1 parking in the Village Inn parking lot.  
2 Well, where is Village Inn going to park,  
3 or this bar/restaurant, when it's Florida  
4 Georgia day? They're going to park in my  
5 neighborhood. And I don't want them in my  
6 neighborhood. I don't need them in my  
7 neighborhood. It's an issue. We have  
8 children, lots of children. My grandchildren  
9 live in this neighborhood. Their ages are two  
10 to seven.

11 We -- we just feel like this is not the  
12 right -- now, I realize the rent is a lot, so  
13 we have to -- we have to have this  
14 bar/restaurant because you've got to sell  
15 liquor to make the money to pay that big rent  
16 or -- or whatever it's costing because I know  
17 it's expensive property from what I've heard,  
18 but the thing about it is --

19 You didn't see a drink menu when he passed  
20 it out. Most bars have drink menus. So I'm  
21 sure he would have passed one of those out if  
22 he could have, but the other --

23 The thing is, besides that, I mean,  
24 it's -- the games -- I'm concerned about NFL  
25 games, Monday night. It's going to be a Monday

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86

1 night. I've got, you know, school children in  
2 this neighborhood. It's going to be loud.  
3 There's no question about it. I think the --  
4 Real quick, I just want to say one thing.  
5 I think the synagogues didn't say anything  
6 because they were against the car wash and the  
7 traffic, but they didn't say anything this time  
8 because they're -- they know that donations are  
9 coming from the wealthy people and they would  
10 not say against this establishment.

11 THE CHAIRMAN: All right. Thank you, sir.  
12 Thanks for being here.

13 All right. Could we please hear from  
14 Jeanne Sandberg.

15 (Audience member approaches the podium.)

16 THE CHAIRMAN: Yes, ma'am. Your name and  
17 address for the record.

18 AUDIENCE MEMBER: My name is Jeanne  
19 Sandberg. My address is 2886 Starshire Cove,  
20 Jacksonville.

21 THE CHAIRMAN: Thank you. And Ms. Tropia  
22 will swear you in.

23 THE REPORTER: If you would raise your  
24 right hand for me, please.

25 MS. SANDBERG: (Complies.)

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87

1 THE REPORTER: Do you affirm that the  
2 testimony you are about to give will be the  
3 truth, the whole truth, and nothing but the  
4 truth?

5 MS. SANDBERG: Yes, ma'am.

6 THE REPORTER: Thank you.

7 THE CHAIRMAN: Yes, ma'am.

8 MS. SANDBERG: I would like to express my  
9 concerns also about the noise. I am quite  
10 concerned about noise. I'm quite concerned  
11 about traffic. I'm quite concerned about the  
12 fact that we live in a quiet, family  
13 neighborhood, and I think that this is going to  
14 be something that will impact on that.

15 In addition, I would like to read this  
16 affidavit from another neighbor.

17 "To the Planning Commission, City of  
18 Jacksonville, re: Application WLD-21-04 and  
19 E-21-16.

20 "We, Widad and Yousef Zacharia, have lived  
21 at 2987 Starshire Cove, on the corner of  
22 Starshire Cove and Haley Lane. We request that  
23 you deny the application to allow a sports bar  
24 across the street from our house. We are 70  
25 and 74 years old. Yousef is on dialysis and is

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88

1 occasionally hospitalized. Widad is then alone  
2 in the home.

3 "We have lived here for 26 years, but we  
4 would move away if there were a sports bar  
5 across the street. Our eight grandchildren  
6 spend two months here every summer, but we  
7 would not allow them to be so close to a sports  
8 bar.

9 "We are worried about the traffic and  
10 would not be comfortable walking in the  
11 neighborhood if there was a sports bar here.  
12 We are also very worried about the noise.

13 "I would gladly come to the Planning  
14 meeting, but I have to pick up grandchildren at  
15 the time. Yousef is too sick to attend. It  
16 would be very hard to leave our home because of  
17 Yousef's illness, but we would feel forced to  
18 leave if the Commission allowed a sports bar  
19 across the street."

20 Thank you.

21 THE CHAIRMAN: Thank you, ma'am.

22 All right. Could we please hear from  
23 Gloria Einstein.

24 AUDIENCE MEMBER: I have some --

25 THE CHAIRMAN: Ma'am, we'll take your name

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89

1 and address and then we'll hear from you.  
2 (Audience member approaches the podium.)  
3 AUDIENCE MEMBER: Gloria Einstein, 2937  
4 Braemar Drive, Jacksonville.  
5 And I --  
6 THE CHAIRMAN: And Ms. Tropia will swear  
7 you in.  
8 THE REPORTER: If you would raise your  
9 right hand for me, please.  
10 MS. EINSTEIN: (Complies.)  
11 THE REPORTER: Do you affirm that the  
12 testimony you are about to give will be the  
13 truth, the whole truth, and nothing but the  
14 truth?  
15 MS. EINSTEIN: Yes, I do.  
16 THE REPORTER: Thank you.  
17 THE CHAIRMAN: Go ahead, please.  
18 MS. EINSTEIN: Commissioners, you sit here  
19 with the opportunity to prevent a tragedy  
20 today.  
21 THE CHAIRMAN: Ma'am, if you would get  
22 closer in the mic for us, I'd appreciate it.  
23 It's for our court reporter.  
24 MS. EINSTEIN: The tragedy might be  
25 traffic, and you'll hear a great deal about

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90

1 traffic, but it might also be a hate crime.  
2 Our neighborhood is very diverse,  
3 actually. In two blocks I met people from five  
4 continents, all religions, all races. But we  
5 have something in common, we value quiet, we  
6 value safety, and we have respect for each  
7 other and our traditions. The non-Jewish  
8 neighbors know about our traditions, walking on  
9 the sabbath and holidays, wearing more  
10 traditional clothing. They have chosen to live  
11 among us. That's not true of Jacksonville.  
12 It's not true of Mandarin. For many Time Out  
13 patrons, it would be their first time seeing  
14 people who are obviously Jewish.  
15 Ninety-nine percent of them would do no harm,  
16 but one percent is enough.  
17 Imagine someone who's never met a Korean  
18 or a Jewish person as a coworker, as a  
19 neighbor, as a friend of a friend, but he's  
20 heard about Jews on social media. He's heard  
21 about Asians spreading COVID. You know that  
22 hate crimes against these two groups have been  
23 rising rapidly. Maybe this person isn't up to  
24 date on his diversity training. Maybe his team  
25 lost and he's just had a bad day. Suddenly

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91

1 he's on the deck and he sees people looking  
2 just like the stereotype of a Jew or he's  
3 looking for a place to park and he sees the  
4 Chabad building with its Jewish symbols or the  
5 Korean church with Korean writing. What does  
6 he have in his car? What is he going to do?  
7 Now, you may think that if -- that  
8 vandalism is harmless, but remember these  
9 buildings are near our homes. They're near the  
10 one place -- they're threats that are delivered  
11 in the one place that we need to feel secure.  
12 Think of the effects on people like me who  
13 are children of survivors of the Holocaust --  
14 there's more than one of us in the  
15 neighborhood -- or the many people who have  
16 lost relatives in a mass murder that began with  
17 a night of vandalism.  
18 The police will never have the resources  
19 to be everywhere to prevent these kind of  
20 incidents. They never find the perpetrators,  
21 but we will have to live with the threats  
22 constantly if this application is approved.  
23 If something happens, everyone in the city  
24 will offer their thoughts and prayers. It  
25 won't undo the harm. It won't undo the threat.

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92

1 But you have a chance today to do much better  
2 than thoughts and prayers. You can make this  
3 never happen. And I hope that you will deny  
4 these applications.  
5 THE CHAIRMAN: Thank you, ma'am. Thanks  
6 for being here.  
7 MS. SANDBERG: And I have, for the  
8 record --  
9 THE CHAIRMAN: Ma'am, that's three  
10 minutes. If you have something to submit,  
11 we'll take it real quickly --  
12 MS. SANDBERG: Yes.  
13 THE CHAIRMAN: -- but we have to move on.  
14 MS. SANDBERG: (Tenders document.)  
15 THE CHAIRMAN: Thank you, ma'am.  
16 If I can speak for a minute during the  
17 public hearing. I'm going to stop for a moment  
18 and say that I would hate -- I don't know what  
19 I'll do here on this matter, but it is in no  
20 way religiously charged with anything in terms  
21 of -- you know, I'm actually very pro-Zion and  
22 pro-Semitic and all that stuff, but that has  
23 nothing to do with why we're here today.  
24 I just want to clear that up. And I  
25 believe the Commission likely feels the exact

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93

1 same way, that we're not here to discuss  
2 religious matters or anything of that nature,  
3 but just to protect all people's rights for  
4 whatever assembly they want to have.

5 So, with that, could please hear from Fern  
6 Estner.

7 MR. HUXFORD: Mr. Chairman, if I may,  
8 while she's coming up, we did receive several  
9 emails, correspondence, and we have forwarded  
10 those to the Planning Commission. I just  
11 wanted to make sure that the people here know  
12 that we did forward that information to the  
13 Commission for their consideration before  
14 today's meeting.

15 THE CHAIRMAN: Great. Thank you, Folks.  
16 (Audience member approaches the podium.)

17 THE CHAIRMAN: Yes, ma'am.

18 AUDIENCE MEMBER: Hello. My name is Fern  
19 Estner. I live at 2992 Bernice Court,  
20 Jacksonville, Florida 32257.

21 THE CHAIRMAN: And Ms. Tropia will swear  
22 you in.

23 THE REPORTER: If you would raise your  
24 right hand for me, please.

25 MS. ESTNER: (Complies.)

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94

1 THE REPORTER: Do you affirm that the  
2 testimony you are about to give will be the  
3 truth, the whole truth, and nothing but the  
4 truth?

5 MS. ESTNER: Yes, I do.

6 THE CHAIRMAN: Go ahead, please.

7 MS. ESTNER: Thank you very much for  
8 allowing this hearing and allowing us to  
9 express our opinions.

10 I've lived in the area for over 20 years,  
11 have raised my family in the area, on Bernice  
12 Court, and this is very concerning to me. This  
13 is not the type of venue for this type of  
14 restaurant. This is a residential area, a  
15 family-friendly area. It's very hazardous with  
16 the traffic that is now on San Jose Boulevard.  
17 I've seen a lot of -- tremendous amount of  
18 growth in this area. There are people walking  
19 all the time; all ages, all colors, all  
20 varieties, everywhere, all the time. They're  
21 doing it for sports activities, they are going  
22 to school, they're do it for after-school  
23 activities, they are going with families, just  
24 going for a hike or a walk. They're going just  
25 to look at the flora and the fauna of the area.

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95

1 It is a residential community.

2 That -- there are only two main egresses  
3 and -- ingress and egresses to that community  
4 behind -- behind Village Inn, and the place  
5 where this restaurant/bar wants to go is right  
6 in the front of the one that is leading into  
7 this family-oriented residential community. It  
8 is not what my kids grew up with. My kids did  
9 not grow up watching sports games and drinking  
10 beer. That might be fine, but I think another  
11 area, another place would be better, not this  
12 residential area where there are three  
13 synagogues, a church, numerous children walking  
14 to/from.

15 And if you put -- if you -- it doesn't  
16 matter if -- I mean, it doesn't -- in reality,  
17 it doesn't matter if certain criteria are met.  
18 It doesn't matter if shifting the outdoor area  
19 for the restaurant -- it doesn't matter whether  
20 there are security guards as escorts. Are you  
21 going to have a security guard there 24/7 all  
22 the time when people of all ages, makes, models  
23 are going to and from their various activities?  
24 You can't possibly do that 24/7. I would love  
25 it if you could.

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96

1 Everybody should have the feeling of  
2 security in -- in the area that they live, and  
3 this would really -- the reality is it --  
4 it would be taking away from this  
5 family/residential community that I have loved  
6 and lived in for so long and have come to love  
7 Jacksonville as well.

8 And I think -- I agree with the people  
9 that have spoken against this venue in this  
10 area. Again, it's -- it's a -- it sounds like  
11 a really good idea, like people will really  
12 enjoy it, but not at this particular spot.  
13 It's -- again, in the ingress and egress into  
14 the restaurant specifically would be coming off  
15 of Haley and San Jose, and that is a tragedy  
16 waiting to happen. It is a hazard to anybody  
17 walking there. It is an accident -- many  
18 accidents waiting to happen.

19 And we have already -- I already hear the  
20 screeching, the cars racing, and I live way  
21 back. I don't live on Starshire and I hear the  
22 traffic from San Jose Boulevard 24/7. It comes  
23 right into my house, right into my house. And  
24 it -- it's not the quiet place it used to be,  
25 and this will even make it be -- this will --

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97

1 this will be a detriment to it -- will  
2 certainly be more of a detriment to the area.  
3 And, again, it's a wonderful area. I love  
4 living here. I love my friends and neighbors.

5 Thank you very much. I appreciate your  
6 listening.

7 THE CHAIRMAN: Yes, ma'am. Thank you.  
8 Glad you're here.

9 MS. ESTNER: Thank you.

10 THE CHAIRMAN: Could we please hear from  
11 Lon Smolensky. I may have that last name  
12 incorrect.

13 (Audience member approaches the podium.)

14 AUDIENCE MEMBER: Hi. Lon Smolensky, 2046  
15 Starshire Cove, Jacksonville.

16 THE CHAIRMAN: Great. And Ms. Tropia will  
17 swear you in.

18 THE REPORTER: If you would raise your  
19 right hand for me, please.

20 MR. SMOLENSKY: (Complies.)

21 THE REPORTER: Do you affirm that the  
22 testimony you are about to give will be the  
23 truth, the whole truth, and nothing but the  
24 truth?

25 MR. SMOLENSKY: Yes.

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98

1 THE REPORTER: Thank you.

2 THE CHAIRMAN: Yes, ma'am, I'm -- we're  
3 patient with you there. I know you're not  
4 trying to be disruptive.

5 Go ahead, please, sir.

6 MR. SMOLENSKY: I'll -- I want to respect  
7 some other people here too, so I'm going to be  
8 brief and try not repeat. I have the same  
9 concerns as those who oppose have already said.  
10 I would just add a couple of things to the last  
11 comment.

12 The security guards are not going to be  
13 enough. Those of us that are walking in the  
14 neighborhood, especially whether it's sabbath  
15 or religious holidays -- you have to picture a  
16 scenario. We don't use our cell phones, we  
17 don't use any electricity, we don't use  
18 automobiles, we don't use any type of  
19 technology for 25 hours every Friday evening to  
20 Saturday evening, plus many other Jewish  
21 holidays throughout the year. Walking is the  
22 only way we get around and communicate with one  
23 another, so it's a really different mind set  
24 and it's a very different lifestyle to live,  
25 and adding what's talked about being added to

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99

1 the area, it's -- just from a safety standpoint  
2 with children walking all over the place, even  
3 if you have 24/7 security guards, I don't think  
4 that would be enough, but certainly whatever  
5 has been proposed is definitely not enough. So  
6 I just wanted to add that.

7 In addition, the schools -- it's many  
8 schools in the area. My kids walk home.  
9 They're -- it's -- there's no set specific  
10 time. It's just -- it's just a huge, huge  
11 safety hazard, in addition to everything else  
12 that's been added. The -- the reference to the  
13 pedestrian accident where the pedestrian was  
14 killed several years back was due to a drunk  
15 driver.

16 I don't agree with any -- any deals that  
17 have been made with the synagogues or the  
18 rabbis, that's not been made for the rest of  
19 us, so I don't know what that's in reference  
20 to, but it's certainly not enough to protect  
21 everybody.

22 Thank you.

23 THE CHAIRMAN: Thank you, sir.

24 With that, could we please hear from, once  
25 again, George Mecke.

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100

1 AUDIENCE MEMBER: Mecke, yeah  
2 (pronouncing).

3 (Audience member approaches the podium.)

4 THE CHAIRMAN: Your name and address for  
5 the record, please.

6 AUDIENCE MEMBER: George Mecke, 3114  
7 Cornelia Drive.

8 THE CHAIRMAN: All right. And Ms. Tropia  
9 will swear you in.

10 MR. MECKE: Okay. Ditto on the --

11 THE CHAIRMAN: One second, sir.

12 Ms. Tropia is -- she'll swear you in.

13 MR. MECKE: I'm sorry.

14 THE CHAIRMAN: You're okay.

15 THE REPORTER: If you would raise your  
16 right hand for me, please.

17 MR. MECKE: (Complies.)

18 THE REPORTER: Do you affirm that the  
19 testimony you are about to give will be the  
20 truth, the whole truth, and nothing but the  
21 truth?

22 MR. MECKE: It will.

23 THE REPORTER: Thank you.

24 MR. MECKE: Okay. Ditto -- ditto on the  
25 first speaker about the children and the

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101

1 alcohol don't mix. I don't -- y'all are all  
2 pretty young fellows, so you probably got  
3 children and all, but I -- it's crazy having,  
4 you know, those -- like I say, two -- the two  
5 o'clock -- I didn't know they're going to say  
6 how late they're going to stay open, but I -- I  
7 don't -- because we're just seeing kids in the  
8 news getting killed, 13 years old running  
9 around, but that's not the case in our  
10 neighborhood.  
11 Ditto on Ms. Einstein's remarks on  
12 diversity. I got signatures from blacks,  
13 Peruvians, Cubans, single women, young and old.  
14 As far as walking in the evening,  
15 unfortunately a lot of the people in the Jewish  
16 community, they wear all black. We see them  
17 out 10, 11 o'clock at night sometimes. And  
18 you -- you know, if you pass a bunch of  
19 alcoholics running through the neighborhood,  
20 that's going to -- you know, they're going to  
21 need to go to white uniforms instead of black,  
22 if that's religiously possible.  
23 Ditto on the Saturday traffic. If you --  
24 you know, if you haven't been there, come down  
25 sometime after -- about 12 o'clock, and you'll

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102

1 see all the children coming down the street.  
2 We've got families in our neighborhood, 12  
3 children, one -- another one's got nine. And  
4 so, I mean, you know, although there may be  
5 a -- close to a hundred Jewish families, you  
6 can multiply that by three easily. And, like I  
7 say, most of them are walking Saturdays, rain  
8 or shine.  
9 As far as the remarks about -- on the --  
10 on the -- on the application, about -- let's  
11 see, where did it go? Yeah, about lacking a  
12 sports bar. Well, we've got Ale House, Jumpin'  
13 Jax and -- and Wicked Barley, which isn't too  
14 far away. We did have a sports bar on Corey  
15 Road, down by the library, about three-quarters  
16 of a mile as the crow flies. You could hear  
17 that on Sunday afternoons, many times. I think  
18 that one's closed now, but that's a -- so, you  
19 know, you put one down the street within, you  
20 know, two-tenths of a mile from our houses or  
21 even closer for a lot of these people.  
22 That's -- that sucks.  
23 They said -- the application said that,  
24 you know, like, there's only three restaurants.  
25 Well, I've got a list of 46 restaurants that

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103

1 I -- I went by this morning from I-295 to  
2 St. Augustine and San Jose. We -- and you're  
3 putting this place right in the middle of them.  
4 So, I mean, if you can't find a good  
5 restaurant, you -- you got some weird taste.  
6 As far as things to do in our  
7 neighborhood, well, we've got Orange Pickers  
8 [sic], we've got parks on Orange Pickers and  
9 Mandarin Road. We've got the county dock with  
10 a kayak launch. You've got a kayak launch on  
11 St. Augustine Road, near the hospital. You've  
12 got boat ramps on Goodbys Lake and two on  
13 Julington Creek and the Jewish Community  
14 Alliance. So there's -- there's no lack of  
15 information for -- or lack of things to do for  
16 families.  
17 My time up?  
18 THE CHAIRMAN: Yes, sir.  
19 MR. MECKE: Thank you.  
20 THE CHAIRMAN: Thank you.  
21 Could we please hear from Stefen Wynn.  
22 (Audience member approaches the podium.)  
23 THE CHAIRMAN: Yes, sir. Your name and  
24 address, please.  
25 AUDIENCE MEMBER: Honorable Commission

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104

1 members, my name is Stefen Wynn, resident of  
2 3057 Haley Lane.  
3 THE CHAIRMAN: And Ms. Tropia will swear  
4 you in.  
5 THE REPORTER: If you would raise your  
6 right hand for me, please.  
7 MR. WYNN: (Complies.)  
8 THE REPORTER: Do you affirm that the  
9 testimony you are about to give will be the  
10 truth, the whole truth, and nothing but the  
11 truth?  
12 MR. WYNN: Yes.  
13 THE REPORTER: Thank you.  
14 MR. WYNN: For nearly the past decade I've  
15 been deeply involved in community planning,  
16 sustainable development, served on county and  
17 local plan [sic] commissions, boards of zoning  
18 appeals, redevelopment commissions, and I've  
19 even been a plan administrator.  
20 THE CHAIRMAN: Sir, if you'll slow down a  
21 little bit. I know it's tough because there's  
22 three minutes, but --  
23 MR. WYNN: I timed it.  
24 I've also written a Comprehensive Plan and  
25 I'm currently in the middle of a Comprehensive

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2021-0374  
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105

1 Plan rewrite for the community that I currently  
2 serve. This is to say that I understand the  
3 gravity of the decisions that you make and I  
4 appreciate your service to our community.  
5 I never thought I would be a NIMBY guy,  
6 but here I am, not in my backyard.  
7 Today I stand in opposition of E-21-16,  
8 and WLD-21-04, its companion application,  
9 because I believe that at its most basic level  
10 it's contrary to the character of the existing  
11 neighborhood and ultimately does not follow the  
12 intention of the Comprehensive Plan.  
13 Furthermore, the approval of this zoning  
14 exception would also require approval of the  
15 secondary waiver for distance requirements to  
16 serve alcohol near a school or a church. In  
17 this case, the distance is well under 500 feet,  
18 at a distance of 110 feet, and the subject  
19 property is an abutting property to the Chabad  
20 Lubavitch, which is also seeking -- which also  
21 is recommended for approval, a variance to  
22 increase their school, E-21-17.  
23 The staff report for E-21-16 recommends  
24 approval and references two other exceptions  
25 that were recently granted, E-19-37 and  
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106

1 E-20-38. I assert that both of these  
2 exceptions are essentially different from the  
3 application before you this afternoon.  
4 The exception for the Blue Bamboo granted  
5 retail sales and service for alcohol within a  
6 predominantly restaurant establishment. I'm  
7 certain that the DBPR could confirm that the  
8 Blue Bamboo does more volume of sales in food  
9 than in alcohol.  
10 The other exception was for that  
11 restaurant across San Jose and wholly contained  
12 within a strip mall with no driveway access  
13 that spills into a residential neighborhood.  
14 The application before you today has a driveway  
15 that spills onto Haley Road, a neighborhood  
16 access road that goes to a number of dead-end  
17 or no thruway streets.  
18 The proposed sports bar before you today  
19 is also operated on Beach Boulevard for a few  
20 years. When you walk into the building,  
21 patrons are greeted by a large bar and stage in  
22 the corner. The current many for the applicant  
23 calls it a happy hour, Monday through Friday  
24 till 7 p.m. That will most likely cause  
25 patrons to leave the building about the same  
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107

1 time that children and families will be walking  
2 back from the synagogue across the street.  
3 The existing location on Beach Boulevard  
4 received new management in 2017 that garnered  
5 that location the number one sports bar in  
6 Jacksonville. That location was also awarded  
7 the 904 Happy Hour's top 20 happy hours in Jax.  
8 These designations have also garnered the  
9 applicant's current location 42 calls for  
10 service from the Jacksonville Sheriff's Office  
11 and 17 to date from the JSO.  
12 While the staff report recommends  
13 approval, I highly encourage you to deny the  
14 exception because of the following reasons:  
15 The proposed exception to allow for the retail  
16 sales and service of alcoholic beverage --  
17 beverages in conjunction with the service of  
18 food with outside seating may not continue  
19 urban sprawl, but the addition of outside  
20 seating for a sports bar hasn't existed within  
21 the immediate area and certainly not abutting a  
22 church that abuts another church.  
23 Further and more importantly, the proposed  
24 exception abuts a church that also has an  
25 application in for a school, which recommended  
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108

1 approval earlier this afternoon.  
2 The property has an ingress/egress that  
3 spills onto Haley Road at an intersection  
4 touted by JTA --  
5 (Discussion held off the record.)  
6 MR. WYNN: I'm sorry. I'll submit this  
7 into the record too for you.  
8 The property also has an ingress/egress  
9 that spills into Haley Road at an intersection  
10 touted by JTA, the TPO and COJ for an  
11 innovative way to accommodate the religious  
12 needs of traveling -- of residents traveling  
13 safely across San Jose during the sabbath.  
14 I'll skip ahead to the end.  
15 Allowing for a sports bar to go into this  
16 location next to a church and adjacent to a  
17 residential neighborhood access will  
18 undoubtedly exacerbate the already dangerous  
19 intersection.  
20 Based off the applicant's existing  
21 operations, since that's the only basis I have  
22 to gauge the impact a sports bar would have on  
23 our neighborhood, it's safe to believe that the  
24 number one sports bar in Jacksonville and 904  
25 Happy Hour's top 20 happy hours in Jax will  
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109

1 create an increase in traffic not only to the  
2 intersection, but also within the residential  
3 neighborhood, behind the property in question.

4 Please vote to deny E-21-16 and its  
5 companion application and preserve the  
6 character and charm of our neighborhood.

7 THE CHAIRMAN: Thank you, sir.

8 Thank you for your service in Neptune  
9 Beach.

10 All right. Could we please go to --  
11 Ms. Tropia, do you need a break yet or -- could  
12 we do one more?

13 THE REPORTER: Sure.

14 THE CHAIRMAN: Could we please hear  
15 from -- I believe it's Angela Thomas.

16 (Audience member approaches the podium.)

17 AUDIENCE MEMBER: Thank you,  
18 commissioners.

19 THE CHAIRMAN: Yes, ma'am. Your name and  
20 address for the record, please.

21 AUDIENCE MEMBER: Angela Thomas, 970 Clay  
22 Street, Fleming Island.

23 THE CHAIRMAN: And Ms. Tropia will swear  
24 you in.

25 THE REPORTER: If you would raise your  
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110

1 right hand for me, please.

2 MS. THOMAS: (Complies.)

3 THE REPORTER: Do you affirm that the  
4 testimony you are about to give will be the  
5 truth, the whole truth, and nothing but the  
6 truth?

7 MS. THOMAS: Yes.

8 THE REPORTER: Thank you.

9 THE CHAIRMAN: Go ahead, please.

10 MS. THOMAS: Okay. Thank you,  
11 commissioners. I appreciate you allowing me  
12 the opportunity to speak -- I appreciate the  
13 opportunity to speak today.

14 I am not Orthodox Jewish. I'm a  
15 conservative Jew. My ex-husband and I used to  
16 have a kosher restaurant for many years here in  
17 Jacksonville and I was born and raised here.

18 My concern with the location that was  
19 formerly Village Inn -- it was great when it  
20 was a restaurant, but to have a bar there would  
21 be a real problem because it's a highly  
22 pedestrian trafficked area, as you've already  
23 heard from other testimony.

24 I have friends that live within the  
25 community. I see the rabbis walk across the

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111

1 street. I see children walking across the  
2 street. And because I'm very cognitive of it,  
3 if I'm in the area on a holiday, I know to be,  
4 you know, aware of the children. And I'm just  
5 afraid that bar people are not going to use the  
6 appropriate respect when somebody's had a few  
7 too many drinks.

8 So I oppose it, and I came more because  
9 I'm concerned about the community.

10 So thank you.

11 THE CHAIRMAN: Thank you, ma'am.

12 All right. Let's take one more before the  
13 break. Zipara Zaguri.

14 AUDIENCE MEMBER: She went to get her --

15 THE CHAIRMAN: I'll tell you what, can we  
16 hear from Andrew Jaffa?

17 (Audience member approaches the podium.)

18 THE CHAIRMAN: Yes, sir. Your name and  
19 address, please, for the record.

20 AUDIENCE MEMBER: Andrew Jaffa, 2801  
21 Sylvan Lane North, Jacksonville, Florida 32257.

22 THE CHAIRMAN: And Ms. Tropia will swear  
23 you in.

24 THE REPORTER: If you would raise your  
25 right hand for me, please.

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112

1 MR. JAFFA: (Complies.)

2 THE REPORTER: Do you affirm that the  
3 testimony you are about to give will be the  
4 truth, the whole truth, and nothing but the  
5 truth?

6 MR. JAFFA: I do.

7 THE REPORTER: Thank you.

8 MR. JAFFA: I just wanted to -- I've been  
9 a lifelong resident of Mandarin. We moved  
10 there in '77, so I'm very familiar with this  
11 area.

12 Just a couple of quick corrections about  
13 Blue Bamboo. Blue Bamboo is closed at 9 p.m.  
14 all through the week and on Saturdays. So the  
15 time is not the same that they are proposing  
16 for the sports bar. Also, Blue Bamboo is  
17 closed on Sundays. And also, it does not abut  
18 a neighborhood and it is not -- it's not a bar,  
19 per se. There's no -- it's not called Blue  
20 Bamboo bar, it's called -- it's a -- Blue  
21 Bamboo, it's a restaurant. So there are some  
22 obvious differences.

23 One thing that I wanted to talk about is  
24 sports bars in general. If you look around  
25 Jacksonville at other sports bars, they always

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113

1 have one thing in common, except for this --  
2 this proposal, and that is they're located in  
3 shopping centers. And why is that? It's not a  
4 coincidence. The reason it's done in shopping  
5 centers is because -- overflow parking.

6 So this location, being a stand-alone  
7 location, will not have enough parking. It's  
8 not even close to what is necessary. So, for  
9 instance, the owner is talking about having  
10 basketball events in the parking lot. Where  
11 are people going to park? They're going to  
12 park in the neighborhood, and that is going to  
13 be a problem.

14 So I -- I think what they need -- what  
15 they need to look at is, where -- what is the  
16 plan when you have an event? Because a sports  
17 bar is a very event-driven type of  
18 establishment; Super Bowl, college football  
19 games. Where is the overflow parking going to  
20 go?

21 Wicked Barley on Baymeadows Road has this  
22 problem. And Wicked Barley is a similar size  
23 restaurant, about 5,000 square feet. It is a  
24 nightmare on Baymeadows Road with people  
25 playing Frogger as they're going across the

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114

1 street to get to Wicked Barley. They are going  
2 to have this problem at this bar.

3 And I think as a business issue -- as a  
4 fellow business owner, as an entrepreneur, I  
5 will tell you that it's going to be a problem.  
6 You're not going to be able to do the volume of  
7 business that you expect to do because people  
8 will not have places to park.

9 Wicked Barley, they're going across the  
10 street and parking in the -- there's kind of a  
11 business center over there. This location does  
12 not have the appropriate parking, like  
13 Mr. Levine was talking about, how people at  
14 Blue Bamboo come and park at the Village Inn.  
15 Well, what is going to happen when you have two  
16 restaurants there? Where are they going to  
17 park? There is no option.

18 The options are going to be, they're going  
19 to park at Chabad, which is next door; they're  
20 going to park at the Korean church; and they're  
21 going to park in the neighborhoods. There is  
22 no viable option for the parking in this area.  
23 So allowing alcohol and allowing the close  
24 proximity to the church -- to the Korean church  
25 and to the synagogue there is going to cause

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115

1 constant parking issues. You will end up  
2 having to require police in the neighborhood,  
3 stopping people from parking all along the  
4 roads.

5 And real quick, about the security guard,  
6 having a crossing officer, there's no  
7 enforcement mechanism for that. As a business  
8 owner, I have a hard time finding employees  
9 right now. Where are they going to find  
10 employees for security guards? And this is not  
11 like a hypothetical question. This is actually  
12 an issue right now, and you see it all over the  
13 news. So what's going to happen when the  
14 security guard is not there? So it's just  
15 something to think about, and I -- I wanted to  
16 voice my opposition to this.

17 THE CHAIRMAN: Thank you, sir.

18 MR. JAFFA: Thank you.

19 THE CHAIRMAN: All right. With that, we  
20 will take a break and reconvene at 3:10.

21 Thank you.

22 (Brief recess.)

23 THE CHAIRMAN: All right. We are back on  
24 this matter, WLD-21-04 and E-21-16.

25 Could we please hear from Zipara Zaguri?

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116

1 AUDIENCE MEMBER: (Indicating.)

2 THE CHAIRMAN: Yes, ma'am.

3 (Audience member approaches the podium.)

4 THE CHAIRMAN: All right. If you would  
5 spell your last name. Give us your name and  
6 address for the record.

7 AUDIENCE MEMBER: Zipara Zaguri,  
8 Z-a-g-u-r-i, 2969 Mandarin Hollow Drive,  
9 Jacksonville, Florida 32256.

10 THE CHAIRMAN: And Ms. Tropa will swear  
11 you in.

12 THE REPORTER: If you would raise your  
13 right hand for me, please.

14 MS. ZAGURI: (Complies.)

15 THE REPORTER: Do you affirm that the  
16 testimony you are about to give will be the  
17 truth, the whole truth, and nothing but the  
18 truth?

19 MS. ZAGURI: I do.

20 THE REPORTER: Thank you.

21 THE CHAIRMAN: Go ahead, please.

22 MS. ZAGURI: So, first of all, thank you  
23 for the opportunity to let us come and speak  
24 for ourself.

25 I have five kids, all of them young kids,

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117

1 of the age 12 and up and under. My kids go to  
2 the school across the street from San Jose, and  
3 this is my main concern: the walk. We walk to  
4 school, back and forth. We do school --  
5 after-school activities and we walking all the  
6 time around this area. This is my main concern  
7 for me and my kids, not to feel confidence and  
8 safe.

9 It doesn't matter what is the time. If  
10 somebody comes to the bar to drink, they come  
11 into the bar to drink. It doesn't matter if  
12 it's 5 o'clock or 9 o'clock or 10 o'clock. So  
13 I don't want to be in the area that I'm exposed  
14 to this kind of environment for me and for my  
15 kids.

16 I really understand the concern for -- as  
17 a business owner, as a property owner. I  
18 understand the concern of the property owner,  
19 that he's trying to lease the space, but not in  
20 any price.

21 He wants to lease the space. The space is  
22 sitting there for six years, and he doesn't get  
23 income from it. I understand it, but we don't  
24 need to suffer from it, and we don't need to  
25 get the consequences of his being -- losing

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118

1 money.

2 From -- in my thoughts, in my eyes, when I  
3 see my husband coming back from synagogue  
4 Friday night or the synagogue Saturday morning  
5 to have somebody to give him security, it just  
6 doesn't feel right to me. We're in 2021; we  
7 are not in 1940, with all due respect, to go to  
8 synagogue and to have somebody escort me just  
9 because if somebody is going to throw a bottle  
10 of -- of -- a beer on me or to scream or  
11 whatever. I just don't feel safe about it.

12 And as far as the property, that I own my  
13 house, and I really, really don't want -- that  
14 the value of the property is going to go down.  
15 That's it.

16 I really hope that you guys are going to  
17 consider whatever we speak because for some  
18 reason I have a thought that it's been approved  
19 without being listened to us from the bottom of  
20 your hearts because we -- I brought my  
21 daughter. She doesn't feel good. I brought  
22 her here with me because it's important for me  
23 that you guys going to listen to us, really  
24 listen to us, is not the decision is already  
25 been made and you just let us speak just for

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119

1 the record.

2 That's it.

3 THE CHAIRMAN: Thank you, ma'am. Thanks  
4 for being here. The decision is not made; that  
5 would be illegal. And we do the right things  
6 on this commission, to the best of my  
7 knowledge. So we're here to hear everyone and  
8 make the right decision.

9 So, with that, could we please hear from  
10 Howard Wolpuff?

11 (Audience member approaches the podium.)  
12 AUDIENCE MEMBER: I'm smiling underneath  
13 here.

14 THE CHAIRMAN: Howard, go ahead, please.  
15 Your name and address for the record.

16 AUDIENCE MEMBER: It's Howard Wolpuff.  
17 W-o-l-p-u-f-f.

18 THE REPORTER: If you would raise your  
19 right hand for me, please.

20 MR. WOLPUFF: (Complies.)

21 THE REPORTER: Do you affirm that the  
22 testimony you are about to give will be the  
23 truth, the whole truth, and nothing but the  
24 truth?

25 MR. WOLPUFF: I do.

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120

1 THE REPORTER: Thank you.

2 THE CHAIRMAN: Go ahead, please, sir.

3 MR. WOLPUFF: My name is Howard Wolpuff.  
4 I'm a resident of Haley Road. I'm a former  
5 employee of the New York Mets and 1010 XL  
6 Sports Radio. I love sports.

7 My concern for my neighbors and my  
8 neighborhood goes even deeper. There are many  
9 reasons to be concerned about this project and  
10 how it's focused purely on the building and San  
11 Jose Boulevard and not taking Haley Road, its  
12 foot and car traffic, people, and properties  
13 into consideration.

14 People purchase houses in this  
15 neighborhood to be part of a community, and  
16 many specifically to be within walking distance  
17 of the three synagogues and attached schools.  
18 While probably none were aware of Section  
19 656.1601 of the Zoning Code, they never would  
20 have imagined a sports bar attempt to move into  
21 the entrance of the neighborhood, having  
22 patrons drinking right next to the sidewalk,  
23 and placed next door to a synagogue.

24 Are you aware that the plan has vertical  
25 lift doors accessing outdoor seating that will

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121

1 only be 90 feet away from the residents -- from  
2 the residents that are right along the Haley  
3 Road sidewalk? Even knowing the addition --  
4 the change -- this little side is still  
5 obviously still on the side. This places them  
6 and neighbors at dinnertime, bedtime, and all  
7 the time at the mercy of the bar managers who,  
8 among their responsibilities, will be the ones  
9 tasked with adjusting the volume. Would you  
10 want to continue living there?

11 The approval report does not fully address  
12 how the sports bar promotes the public health,  
13 safety, welfare, morals, order, comfort,  
14 convenience, appearance, prosperity, or general  
15 welfare of the Haley Road side of this  
16 property. And it doesn't seem that it was  
17 taken into consideration.

18 If so, it would have addressed that this  
19 is an extremely high-pedestrian-traffic street.  
20 I would propose that this block has the highest  
21 amount of foot traffic on any residential block  
22 in the city. It's also the corner that one of  
23 our neighbors was killed and daughter severely  
24 injured crossing San Jose Boulevard. Many of  
25 us, including myself, have stories of near

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122

1 misses and intimidations in the crosswalk while  
2 attempting to safely cross. Now add to that  
3 people who have had multiple drinks leaving and  
4 entering a bar.

5 This product, as mentioned before, is  
6 comparable to Wicked Barley on Baymeadows Road.  
7 The parking lot is so insufficient that people  
8 have to go regularly park at the business park  
9 across the street.

10 THE CHAIRMAN: Sir, if you could slow down  
11 bit for us.

12 Thank you.

13 MR. WOLPUFF: Where would the overflow  
14 parking go for this project, and the smokers?  
15 On Haley and Starshire, directly across from  
16 the parking lot and in front of our homes.

17 The application states that the sports bar  
18 will close at 9 p.m. on weekdays. Monday night  
19 and Thursday night football games begin at  
20 8:15. Are they really planning to close before  
21 the second quarter?

22 Eighty percent of the bar's 2021 Facebook  
23 posts are about alcohol, not family-friendly  
24 restaurant experiences. And a February video  
25 posted on YouTube by a vendor has the applicant

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123

1 touting his bar was ranked the number one  
2 sports bar in 2018 and 2019, and clearly shows  
3 the interior of a bar at the Beach Boulevard  
4 location.

5 There's great concern for the safety and  
6 welfare of those who would walk to and from  
7 synagogue, school, and activities by a crowded  
8 outdoor bar with both anti-Semitism at  
9 124 percent between 2015 and 2019 and  
10 anti-Asian racism at 40 percent increase  
11 between 2016 to 2019 and even greater over the  
12 last 14 months on the rise.

13 Many of us would have to stop allowing our  
14 daughters -- sons as well -- to walk and ride  
15 their bikes to school or synagogue with their  
16 friends and have to remain with an adult at all  
17 times as a precaution. Not just Friday night  
18 and Saturday afternoon, weekdays and evenings  
19 as well.

20 A broad discussion with the Jewish  
21 community would show that a crossing guard on  
22 San Jose Boulevard does not address the issues  
23 that we would have. And walking in front of a  
24 bar is much greater concern.

25 For these reasons and many others, I ask

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124

1 that you deny this request.

2 THE CHAIRMAN: Thank you, Howard.

3 MR. WOLPUFF: Thank you very much, and my  
4 apologies.

5 THE CHAIRMAN: Could we please hear from  
6 Kelly DeLucia?

7 (Audience member approaches the podium.)

8 THE CHAIRMAN: Yes, ma'am. Your name and  
9 address for the record, please.

10 AUDIENCE MEMBER: My name is Kelly  
11 DeLucia. I live at 509 Lighthouse in Neptune  
12 Beach.

13 THE CHAIRMAN: Ms. Tropia will swear you  
14 in. One second.

15 THE REPORTER: If you would raise your  
16 right hand for me, please.

17 MS. DELUCIA: (Complies.)

18 THE REPORTER: Do you affirm that the  
19 testimony you are about to give will be the  
20 truth, the whole truth, and nothing but the  
21 truth?

22 MS. DELUCIA: Yes.

23 THE REPORTER: Thank you.

24 MS. DELUCIA: So while I do live out at  
25 the beach, I have spent my whole life here in

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2021-374  
ON FILE

125

1 Jacksonville, save a few years in college. And  
2 I grew up in the area. My current occupation,  
3 I am a real estate professional, primarily  
4 representing sellers over the last ten years.  
5 I have sold approximately a hundred properties  
6 in the general vicinity of the subject  
7 property, on and off of Scott Mill Road, up and  
8 down San Jose.

9 I've heard a couple of comments. My  
10 primary reason for being here today is to  
11 address the housing value concerns. I  
12 understand that many of you up here on the  
13 Commission here today, you know, are very  
14 familiar with home prices and home values. And  
15 I just want to reassure the Commission that I  
16 do not see any adverse impact of putting this  
17 restaurant at this location.

18 While we do not have any, you know,  
19 specific data regarding this location, I can  
20 certainly point to other locations in the  
21 Mandarin area that have thrived and prospered  
22 with additional restaurants and amenities, if  
23 we shall call them that, once opened.

24 This is an area prone to relocation. This  
25 is an area that has experienced 26 percent

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126

1 growth in pricing since 2016, which is when the  
2 Village Inn actually went out of business as  
3 well.

4 So -- I don't know why it keeps going in  
5 and out. Apologies.

6 I just want to point out for those that  
7 are concerned about their home values -- which  
8 we have heard a couple of those, and there have  
9 been online comments and emails sent in as  
10 well -- that I do not see that being a negative  
11 impact for anybody looking to purchase  
12 properties in this area.

13 Mandarin is a primarily commuter area of  
14 town. I understand this specific area, as  
15 referenced today by these residents today, is  
16 very walking friendly, but we have to look at  
17 this as a whole, and adding another destination  
18 restaurant will allow more use for all the  
19 residents in the area, not just this one area.

20 Any questions?

21 THE CHAIRMAN: Thank you, ma'am. Thanks  
22 for being here.

23 All right. Could we please hear from  
24 Gregory George?

25 (Audience member approaches the podium.)

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127

1 AUDIENCE MEMBER: Good afternoon.

2 My name is Greg George. I currently live  
3 at 1293 Belvedere Avenue, Jacksonville, Florida  
4 32205.

5 THE CHAIRMAN: Ms. Tropa will swear you  
6 in.

7 THE REPORTER: If you would raise your  
8 right hand for me, please.

9 MR. GEORGE: (Complies.)

10 THE REPORTER: Do you affirm that the  
11 testimony you are about to give will be the  
12 truth, the whole truth, and nothing but the  
13 truth?

14 MR. GEORGE: I do.

15 THE REPORTER: Thank you.

16 MR. GEORGE: Good afternoon.

17 First of all, I'd like to thank the  
18 commissioners for allowing me to speak here  
19 today. My name is Greg George. I've been  
20 involved in youth sports in this community for  
21 the last ten years. I believe youth sports not  
22 only form lifelong relationships but also help  
23 shape and impact communities in a positive way.

24 After every one of our games, typically on  
25 the weekends and especially on tournament

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128

1 weekends, we take our teams and coaches out to  
2 eat afterwards. The only option we have right  
3 now is the Ale House, as many people know who  
4 live in the area, and I just wanted to be on  
5 record as saying time that Time Out is a  
6 restaurant that could be home for youth sports  
7 families all across Jacksonville.

8 I would love for our city to give another  
9 option for us after games. And, quite frankly,  
10 it's something that our community needs and  
11 will benefit from.

12 Thank you.

13 THE CHAIRMAN: Thank you, sir.

14 Can we please hear from Gordon Levine?  
15 (Audience member approaches the podium.)

16 THE CHAIRMAN: Sir, we'll pass those out.

17 Your name and address, please. Not to  
18 rush you. Thank you.

19 AUDIENCE MEMBER: I understand.

20 My name is Gordon Levine. I'm at 3114  
21 Watson Drive, here in Jacksonville.

22 THE CHAIRMAN: Great. Okay. If you would  
23 get closer to the microphone, and Ms. Tropa  
24 will swear you in.

25 THE REPORTER: If you would raise your

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129

1 right hand for me, please.

2 MR. LEVINE: (Complies.)

3 THE REPORTER: Do you affirm that the  
4 testimony you are about to give will be the  
5 truth, the whole truth, and nothing but the  
6 truth?

7 MR. LEVINE: Yes, I do.

8 THE REPORTER: Thank you.

9 MR. LEVINE: Commissioners, Mr. Harris --

10 THE CHAIRMAN: Sir, if you'll just stay  
11 with us.

12 Thank you.

13 MR. LEVINE: Thank you for the  
14 opportunity. There are seven quick things that  
15 I think are important -- that are important to  
16 discuss.

17 The applicant -- the applicant claims that  
18 a sports bar will be conducive to the current  
19 neighborhood. I draw your attention to Page  
20 Number 1 and the two pictures. The picture on  
21 the top right is a typical picture where kids  
22 are playing. They're walking down the street,  
23 and they're enjoying somewhat peaceful quiet  
24 other than a few streets -- cars going down the  
25 street. Bottom left is the current location

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130

1 for this sports bar over in the Beaches. Where  
2 are the children? Where is the family  
3 activity? I think it's perfidious what he's  
4 doing here.

5 The Village Inn was there for many years.  
6 It was quiet. Seventy-two, seventy-three  
7 parking spaces were used. No overflow parking  
8 except on Thanksgiving when everyone lined up  
9 for the pie. But a quiet, family -- you're  
10 laughing. You know -- you know, a quiet,  
11 family location.

12 We all have rights and responsibilities.  
13 He has a right to be an entrepreneur, but he  
14 also has a responsibility for not destroying  
15 our neighborhood. He is at the wrong place and  
16 at the wrong time.

17 He talked earlier about bringing high  
18 school students home to the Ale House. That's  
19 not family. Those are his words. Go back and  
20 listen to the transcript.

21 Basketball. A ball pounding on the  
22 pavement next to the synagogue where people are  
23 praying to God. How is that conducive to the  
24 neighborhood?

25 Sports TV. Friday night, Saturday

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131

1 afternoon, same thing. People walking to shul  
2 and already in shul praying. That noise will  
3 not be conducive.

4 We've already heard about the number of  
5 restaurants in the area. I just saw a  
6 TripAdvisor saying it's 1,363 restaurants in  
7 Jacksonville. And Pete mentioned a whole list  
8 of those within walking distance. The 72  
9 parking spaces, many of them will be  
10 eliminated. There's going to be 50 employees.  
11 Of course, maybe not all at the same time, so  
12 there goes 50, so you're down to 22.  
13 Basketball takes how many? Ten? Twenty?  
14 Thirty? No parking is left, except across the  
15 street.

16 Friday night, he agreed to a crossing  
17 guard. That's not good enough, 142 days over  
18 the course of the year. Friday night,  
19 Saturday, the holy days. So if you approve --  
20 and I don't expect that you will -- I hope you  
21 won't -- this should be three conditions  
22 attached. Crossing guard, as noted in my  
23 Section 5. Closing the driveway on Haley,  
24 putting a permanent barrier there so we don't  
25 get traffic into the neighborhood. And no

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132

1 basketball, no thump, thump. Synagogues are  
2 like home.

3 THE CHAIRMAN: Thank you, sir.

4 MR. LEVINE: Let this home be in peace.

5 THE CHAIRMAN: Thank you. Thanks for  
6 being here.

7 Could we please hear from Martin Haim  
8 [sic]?

9 (Audience member approaches the podium.)

10 AUDIENCE MEMBER: That's Martin Harm.

11 THE CHAIRMAN: All right. And your name  
12 and address for the record, please.

13 MR. HARM: 1535 Parkwood Street,  
14 Jacksonville, 32207.

15 THE CHAIRMAN: Great. And Ms. Tropia will  
16 swear you in.

17 THE REPORTER: If you would raise your  
18 right hand for me, please.

19 MR. HARM: (Complies.)

20 THE REPORTER: Do you affirm that the  
21 testimony you are about to give will be the  
22 truth, the whole truth, and nothing but the  
23 truth?

24 MR. HARM: I do.

25 THE REPORTER: Thank you.

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133

135

1 MR. HARM: I'd just like to share that,  
2 you know, in my opinion as a somewhat new  
3 resident -- I've been in Jacksonville for six  
4 years -- you know, it just seems like a lot of  
5 missed opportunities as far as outdoor dining,  
6 catering to the climate y'all got around here.  
7 So I would like to share my support for  
8 this measure in favor of Time Out and express  
9 my opinion that it would be a tremendous missed  
10 opportunity for the community to disallow this  
11 to move forward.  
12 Thank you.  
13 THE CHAIRMAN: Thank you, sir.  
14 Could we please hear from Brian Sherman?  
15 (Audience member approaches the podium.)  
16 AUDIENCE MEMBER: Hi.  
17 THE CHAIRMAN: Hi.  
18 AUDIENCE MEMBER: Brian Sherman, 2651  
19 Dellwood Drive -- Dellwood Avenue,  
20 Jacksonville, Florida 32204.  
21 THE CHAIRMAN: And Ms. Tropia will swear  
22 you in.  
23 THE REPORTER: If you would raise your  
24 right hand for me, please.  
25 MR. SHERMAN: (Complies.)

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1 street to go to a different school in middle  
2 school, I needed a safe haven to go and  
3 continue fostering that Jewish relationship  
4 with familiar faces. Luckily, the JCA was that  
5 safe haven. However, as a child playing  
6 basketball -- I loved being there -- but after  
7 our Sunday basketball activities, there was no  
8 community restaurant for us to enjoy as a team  
9 and as a family at JCA.  
10 I think having this sports bar/restaurant  
11 in the community would provide me a place to go  
12 and see familiar faces within the Jewish  
13 community. Given that there are so many Jewish  
14 people in that area, they can come together and  
15 make it their own.  
16 Fast forward about 20 years or so --  
17 THE CHAIRMAN: Ma'am --  
18 I'm sorry. You were being disrupted.  
19 Ma'am, if you would. Thank you.  
20 MR. SHERMAN: I am now coaching -- the  
21 circle of life. I'm coaching those same youth  
22 athletic sports at the JCA, and I can tell you  
23 that after the game, the one hour of time that  
24 we have to play basketball, my pupils are eager  
25 to go out to lunch and continue that activity

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134

136

1 THE REPORTER: Do you affirm that the  
2 testimony you are about to give will be the  
3 truth, the whole truth, and nothing but the  
4 truth?  
5 MR. SHERMAN: I do.  
6 THE REPORTER: Thank you.  
7 MR. SHERMAN: As stated, good afternoon.  
8 My name is Brian Sherman. I'd like to  
9 first start off by saying I am in favor of the  
10 applicant. However, I come to speak in front  
11 of you here today on behalf of the community of  
12 Jacksonville, as well as the Jewish community  
13 of Jacksonville.  
14 I went to the elementary school right  
15 across the street that has been referenced  
16 numerous times. I went there with the  
17 applicant, and that was the way I met him. I  
18 was fortunate enough to meet a group of  
19 lifelong friends, and for that I'm thankful.  
20 I've also had the privilege of being an  
21 active member of the Jewish Community Alliance,  
22 the JCA, for the past 30 years. I say  
23 privileged because it truly has been a  
24 privilege.

25 After leaving the Jewish Center across the  
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1 in a familiar and safe environment, and I  
2 believe the restaurant can provide that.  
3 I see this place as a de facto Jewish  
4 hangout. The fun and familiarity does not have  
5 to stop after the one-hour JCA basketball  
6 games. And honestly, who better to be the face  
7 of such establishment than someone who is  
8 actively involved in the Jewish community,  
9 accessible to the Jewish community, and has the  
10 Jewish community's best interest at heart?  
11 Just a couple more notes.  
12 THE CHAIRMAN: Sir, we're at three  
13 minutes.  
14 MR. SHERMAN: Oh, we're at three minutes?  
15 That's all I have.  
16 Thank you.  
17 THE CHAIRMAN: Okay. Thank you, sir.  
18 Thanks for being here.  
19 Could we hear from Bakari Dowdel?  
20 AUDIENCE MEMBERS: (No response.)  
21 THE CHAIRMAN: No? Time Out, Mandarin,  
22 Bakari Dowdel, in support of the application?  
23 MR. HARRIS: He should be on the way back.  
24 THE CHAIRMAN: Okay. Thank you. We'll  
25 set that aside.

2021-374  
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ON FILE

137

1 Kathryn Robbie, please.  
2 (Audience member approaches the podium.)  
3 AUDIENCE MEMBER: Hello, again. Can you  
4 hear me okay?  
5 THE CHAIRMAN: If you would get a little  
6 closer to the mic for us, and we'll take your  
7 name and address for the record.  
8 AUDIENCE MEMBER: Is that better?  
9 THE CHAIRMAN: Yes.  
10 AUDIENCE MEMBER: Kathryn Robbie, 6944  
11 St. Augustine Road, Jacksonville, Florida 32217.  
12 THE CHAIRMAN: And Ms. Tropia will swear  
13 you in. You're a bit soft spoken. If you  
14 could get a little closer to, that would help  
15 us out.  
16 MS. ROBBIE: Is that better?  
17 THE CHAIRMAN: No, ma'am. Pull it a  
18 little closer to you.  
19 MS. ROBBIE: How's that?  
20 THE CHAIRMAN: That's good.  
21 THE REPORTER: If you would raise your  
22 right hand for me, please.  
23 MS. ROBBIE: (Complies.)  
24 THE REPORTER: Do you affirm that the  
25 testimony you are about to give will be the  
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138

1 truth, the whole truth, and nothing but the  
2 truth?  
3 MS. ROBBIE: I do.  
4 THE REPORTER: Thank you.  
5 MS. ROBBIE: Let me know if you can't hear  
6 me.  
7 I was here today on behalf of support for  
8 it. I kind of come from a different  
9 perspective. I'm a sports fan, too. And I'm a  
10 southern woman, so I like my sports. But  
11 mainly I'm a mother, and so I kind of want to  
12 affirm earlier what had been said earlier  
13 today.  
14 A lot of times you have your children  
15 in -- and it's flag football. You have them in  
16 soccer, baseball. And right after the event,  
17 you have a very strong desire to go with the  
18 other parents. And so I heard a lot of  
19 testimony today about the concerns about the  
20 fact they're serving alcohol. It's a bar. And  
21 I understand that, but Cracker Barrel serves  
22 alcohol. There's a lot of places that serve  
23 alcohol.  
24 And I think in terms of a place like --  
25 when you have Players Grille or you have the  
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139

1 Mudville Grille -- I hear a lot of, you know,  
2 discussion today about concerns about it being  
3 a residential neighborhood. And I'm respectful  
4 of that, but there's been a number of examples  
5 in our community that are very positive.  
6 The Players Grille on San Marco, you  
7 couldn't ask for a neighborhood that have more  
8 affluent property values, houses of worship,  
9 and a school nearby. You see in St. Nicholas  
10 people will frequently be playing over there at  
11 Assumption or Bishop Kenny and go to the  
12 Mudville Grille. So I really believe that this  
13 establishment could give a sense of community  
14 to the area.  
15 And I understand about the evenings, but I  
16 keep hearing examples about Wicked Barley. But  
17 I don't know any family that after a soccer  
18 game goes, Hey, let's all go to the Wicked  
19 Barley. You know, it's a different  
20 demographic.  
21 I think, too, younger people more and more  
22 commute; they Uber. They are used to  
23 carpooling. I'm not saying it's a complete --  
24 I think what you hear about parking is probably  
25 very legitimate, but the reality is that was  
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140

1 zoned for a business establishment. It's been  
2 unusually quiet for the last five to six years.  
3 And so I think that -- I still think overall it  
4 would be very positive for the community.  
5 THE CHAIRMAN: Thank you, ma'am. Thanks  
6 for being here.  
7 Michael Herring.  
8 (Audience member approaches the podium.)  
9 THE CHAIRMAN: Sir, your name and address  
10 for the record, please.  
11 AUDIENCE MEMBER: Michael Herring.  
12 H-e-r-r-i-n-g.  
13 THE CHAIRMAN: And Ms. Tropia will swear  
14 you in.  
15 MR. HERRING: Address is 2966 Mandarin  
16 Hollow Drive.  
17 THE REPORTER: If you would raise your  
18 right hand for me, please.  
19 MR. HERRING: (Complies.)  
20 THE REPORTER: Do you affirm that the  
21 testimony you are about to give will be the  
22 truth, the whole truth, and nothing but the  
23 truth?  
24 MR. HERRING: Yes, I do.  
25 THE REPORTER: Thank you.  
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141

1 MR. HERRING: My name is Mike Herring.  
2 I'm a civil structural engineer, licensed  
3 professional engineer in the State of Florida,  
4 and today I am representing myself. I'm a  
5 concerned neighbor. I live about two blocks  
6 from the subject property. My talk will focus  
7 on the City Planning report that is the  
8 response to the application for zoning exception.

9 I have reviewed these drawings, and it's  
10 my opinion that they're missing crucial  
11 information and do not address the actual site  
12 conditions.

13 And I've got four areas of concern. The  
14 first issue is that this location is in the  
15 midst of a residential area. The report talks  
16 about compatibility with the existing use and  
17 the general character of the area. It does not  
18 mention that it's literally in a residential  
19 area. As noted previous, there's a house  
20 across the street on Haley Road that has a  
21 dimension of 90 feet.

22 Also, the proposed outdoor seating was a  
23 little unclear on the drawings, but I was able  
24 to determine that the perimeter was 5 feet from  
25 the existing sidewalk. This sidewalk has heavy

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142

1 pedestrian use at all times of day. I do  
2 understand there's been a submitted revision to  
3 the plans. I'd be very interested in reviewing  
4 that. My first instinct still is that there  
5 should be a barrier to separate the patrons  
6 from the pedestrians using the sidewalk.

7 The second item is traffic. The report  
8 discusses the impact of the health, safety, and  
9 welfare of the community, noting that the  
10 proposed restaurant is very similar to the  
11 previous restaurant, the Village Inn. I don't  
12 think that's the case because this new facility  
13 will have outdoor seating and alcohol use, and  
14 that makes it different. If this project was  
15 to go through, I'd like to see the entrance on  
16 Haley Road be closed off and not used for  
17 entrance and egress.

18 The third item is parking. The report  
19 states that there's ample parking on site.  
20 That's really to be seen. The big question  
21 here is: What will happen when the parking lot  
22 is full? So if this project was to go forward,  
23 I'd like to see ordinances be enacted to not  
24 allow street parking by patrons, no parking on  
25 sidewalks in grassy areas, and no parking at

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143

1 the Chabad synagogue. The issue with parking  
2 is: How will it be enforced and how it will be  
3 controlled?

4 Last item is noise. The report talks  
5 about the facilities closing at 9 p.m. and that  
6 the managers will control the noise. We're  
7 interested in decibel levels and how the  
8 neighborhood will perceive the noise. We want  
9 to know how this will be enforced and  
10 controlled, and if there's a problem, who do we  
11 call?

12 Thank you.

13 THE CHAIRMAN: Yes, sir. Thank you.  
14 Could we please hear from Jason Canning?  
15 (Audience member approaches the podium.)

16 AUDIENCE MEMBER: My name is Jason  
17 Canning. I'm at 10482 Wellington Springs Way,  
18 Jacksonville, Florida 32221.

19 THE CHAIRMAN: And Ms. Tropia will swear  
20 you in.

21 THE REPORTER: If you would raise your  
22 right hand for me, please.

23 MR. CANNING: (Complies.)

24 THE REPORTER: Do you affirm that the  
25 testimony you are about to give will be the

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144

1 truth, the whole truth, and nothing but the  
2 truth?

3 MR. CANNING: I do.

4 THE REPORTER: Thank you.

5 MR. CANNING: I -- gosh, I don't know  
6 where to begin. There's a lot of things to  
7 cover. I'm the architect for the client, and I  
8 work on hundreds of these kind of projects.

9 One of the things I think is kind of crazy  
10 is that it's just a blighted building. It's  
11 just a bad part of San Jose. And I think  
12 property value-wise if it stays that way -- I  
13 mean, it's kind of been that way for five years  
14 or something. So I think it would be a benefit  
15 given, you know, the number of types of things  
16 that can be in CCG-1.

17 To have somebody come in there and  
18 renovate the building -- it's in bad shape, a  
19 (inaudible) all over the top of the roof and  
20 everything. And one of the things about my  
21 business -- it's my job to kind of judge the  
22 character of a project to see if it's going to  
23 go forward well, and the client, and that kind  
24 of thing. And he doesn't -- hasn't balked at  
25 any of the costs of renovating this thing; new

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ON FILE

145

1 mechanical, electrical, plumbing, the whole  
2 thing.

3 And I also noted, you know, signs of  
4 homeless activity around the, you know, area  
5 where people laid down and sleep and all this  
6 kind of thing. What do you do? I mean, it's  
7 been that way for five years, and you're going  
8 to say that this is good for the property  
9 value? I don't -- I don't understand that.

10 And -- you know, and they talk about the  
11 idea of a sports bar, but the concern is  
12 outside seating and alcohol, right? Because if  
13 we took away the alcohol and the outside  
14 seating, we wouldn't be here. He could -- he  
15 has the right to move in there and open his  
16 restaurant because it was a previous  
17 restaurant, so --

18 And I think there's a number -- like I  
19 said, you could put a car wash there, you know,  
20 a number of different things that would have an  
21 adverse effect on the traffic in all kinds of  
22 different ways.

23 So I think it's a great reuse of the  
24 building. It's going to brighten it up. He  
25 has the funds. I've seen a lots of these kind

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146

1 of urban conditions where there's different  
2 communities that mingle. So I just wanted to  
3 speak to that. And also, you know, in the  
4 revised plan, we have a significant amount of  
5 opportunity for landscaping to block the  
6 visibility.

7 And they may not get, you know, people  
8 saying anything from the bar, but, I guess, as  
9 I understand, people who are stopped at the  
10 stoplight are yelling at people crossing the  
11 street because, you know, they just have some  
12 kind of grudge or whatever. But, you know,  
13 that's going to happen, just, you know -- so  
14 anyway, we'd like to do the best we can to  
15 block visibility, if that makes sense.

16 So I just think it's a great reuse of the  
17 building, if that makes sense.

18 Thank you.

19 THE CHAIRMAN: Thank you, sir. Thanks for  
20 being here.

21 Mr. Bakkar.

22 (Audience member approaches the podium.)

23 AUDIENCE MEMBER: Ramzy Bakkar, 320 North  
24 1st Street, Suite 706, Jacksonville Beach.

25 THE CHAIRMAN: One second. Ms. Tropia

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147

1 will swear you in.

2 THE REPORTER: If you would raise your  
3 right hand for me, please.

4 MR. BAKKAR: (Complies.)

5 THE REPORTER: Do you affirm that the  
6 testimony you are about to give will be the  
7 truth, the whole truth, and nothing but the  
8 truth?

9 MR. BAKKAR: I do.

10 THE REPORTER: Thank you.

11 MR. BAKKAR: I'm one of the owners of the  
12 property, and I support Time Out Sports Grill's  
13 application.

14 The property is located in a dense  
15 commercial corridor where it's surrounded by  
16 many shopping centers, restaurants, grocery  
17 stores, and gas stations. I have selected  
18 Time Out Sports Grill because its use is  
19 commensurate with the surrounding retail. This  
20 choice wasn't made overnight. The property has  
21 been vacant for around five years. We've owned  
22 it for the last three.

23 Throughout the years, we've had many  
24 opportunities to lease the property, but we've  
25 been very selective in who we choose to lease

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148

1 to. I can't tell you how many times a cannabis  
2 dispensary wanted to go there. They desired to  
3 pay us over 150 percent of our asking rent in  
4 order to go there. We declined. We also have  
5 had hookah lounges and gas stations want to go  
6 there, and they're interested in renting from  
7 us as well. They -- we've rejected all these  
8 offers to lease to them because I believe they  
9 would have a negative impact on the area.

10 However, we selected Time Out Sports  
11 Grill, family-run restaurant, for this location  
12 because they have a great reputation. They  
13 have been serving the Jacksonville community  
14 for almost five years. They provide a great  
15 place for friends and family to meet and enjoy  
16 a great meal together. I believe in Matt  
17 Harris and I believe in his vision for this  
18 location. I believe Time Out Sports Grill will  
19 be a great, positive addition to the community.

20 Regarding the liquor license, under Zoning  
21 Code Section 656.133 -- I provided -- I believe  
22 she gave it to you earlier -- the highlighted  
23 sections. A waiver may be granted under  
24 Subsection A if it meets only one of the five  
25 items, and I believe this property will fall

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149

1 under two of them.

2 Under Number 4, which I've highlighted,  
3 which talks about alcohol beverage use which is  
4 not directly visible along a line of  
5 measurement and is physically separated from a  
6 church, this location is not in direct visible  
7 sight of two of the synagogues across San Jose  
8 Boulevard, one of them is behind McDonald's and  
9 Tire Kingdom, and the other is behind a  
10 shopping center. Furthermore, you have the  
11 barrier of San Jose Boulevard, which the  
12 members of the synagogue would have to cross  
13 before even reaching the restaurant.

14 Also in Number 5, Subsection A, a waiver  
15 may be granted if there are other existing  
16 liquor license locations in a similar nature.  
17 There are other similar businesses, such as the  
18 Blue Bamboo, the Outback Steakhouse, and  
19 Carrabba's Italian restaurant.

20 Lastly, we have no opposition with the  
21 synagogue located right behind the property for  
22 this restaurant to provide the outdoor patio  
23 and the service of the alcohol to its  
24 customers. I believe that since Time Out  
25 Sports Grill is located in a commercial

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150

1 corridor, its use of the property is  
2 commensurate with the surrounding retail.

3 And, finally, the property meets not one  
4 but two of the waiver provisions in the Zoning  
5 Code, that the use of the patio and service of  
6 the alcohol should be permissible.

7 Thank you.

8 THE CHAIRMAN: Thank you, Ramzy. Thank  
9 you for being here.

10 All right. Could we please hear from  
11 Bobby Handmaker?

12 (Audience member approaches the podium.)

13 AUDIENCE MEMBER: Good afternoon, gentlemen.

14 THE CHAIRMAN: Your name and address for  
15 the record, please.

16 AUDIENCE MEMBER: My name is Bobby Handmaker.

17 I'm here about property 3041 Haley --

18 AUDIENCE MEMBER: That's not your --

19 THE CHAIRMAN: Your address, sir.

20 MR. HANDMAKER: I own the property at 3041  
21 Haley Lane, where I've put my favorite ex-wife  
22 and my two teenage daughters.

23 THE CHAIRMAN: All right. Understood.

24 MR. HANDMAKER: I live at Jacksonville  
25 Beach, though.

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151

1 THE CHAIRMAN: And Ms. Tropia will swear  
2 you in.

3 THE REPORTER: If you would raise your  
4 right hand for me, please.

5 MR. HANDMAKER: (Complies.)

6 THE REPORTER: Do you affirm that the  
7 testimony you are about to give will be the  
8 truth, the whole truth, and nothing but the  
9 truth?

10 MR. HANDMAKER: Yes, ma'am.

11 THE REPORTER: Thank you.

12 THE CHAIRMAN: Go ahead, please.

13 MR. HANDMAKER: Thank you.

14 First of all, gentlemen, thank you for  
15 having me and allowing me to speak. I approach  
16 this a little differently from some of my  
17 colleagues. But before I want to say that, I  
18 wanted to say that I'm in the twilight of my  
19 restaurant career, which started in 1977. And,  
20 you know, it's up to the old guys like me to  
21 support the young guys like Mr. Harris and his  
22 enthusiasm, his willingness to spend money and  
23 invest in the community, and his desire to  
24 create a family place.

25 This location however, as presented, is  
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152

1 not that place, however. I think I -- I  
2 approach this from an issue of, conceptually,  
3 the zoning laws are there to protect our  
4 investment and our property, that there's some  
5 type of predictability and dependability of the  
6 market because I can tell you, when I decided  
7 to buy this house, Village Inn was dark. And  
8 it occurred to me, because I built many  
9 restaurants, huh, I certainly don't want a  
10 Hooters or a sports bar going in there because  
11 if it is, it's less than 300 feet from my  
12 house. And that's too close.

13 Well, said I, self, to myself, at least  
14 there's not one but two houses of worship that  
15 about the property, so this is not a waiver  
16 where there's a, you know, de minimis  
17 exception -- let's go 400 street -- feet  
18 instead of 500, nor is this an overwhelmingly  
19 positive result to the community when we  
20 balance the interests of Mr. Harris and of the  
21 community.

22 I know for a fact that I will be able to  
23 hear loud talking, music, and TVs in my house,  
24 which is less than 300 yards away. I do not  
25 think, however, that this is a 1 or 0. My

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153

1 understanding is that there's going to be an  
2 outdoor patio. I think that is what causes me  
3 the greatest amount of problems.  
4 And, you know, I think that moving the  
5 outdoor seating to the front of the building  
6 and having, like, open garage spaces and one  
7 bar so you have outside seatings, I think  
8 that's a reasonable compromise. But having an  
9 entire patio of people having fun, creating  
10 memories, eating food, doing shots, I think  
11 that it -- it decimates the spirit of the law  
12 and the letter of the law.  
13 Why have zoning? I mean, you can't get  
14 any closer than this bar to these two houses of  
15 worship. It's not possible; they abut each  
16 other. What's next? A gentlemen's club on  
17 Riverside Avenue or a sewage treatment plant by  
18 Queens Harbour? The laws are there for us to  
19 depend on, and I think -- I submit that we  
20 table this and see if we could come up with a  
21 reasonable compromise between all parties  
22 involved, because I think there is one.  
23 Thank you for listening.  
24 THE CHAIRMAN: Thank you, sir.  
25 Is Bakari Dowdel back?

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154

1 MR. HARRIS: He's not.  
2 THE CHAIRMAN: All right. Is there anyone  
3 else here today? I will have rebuttal for -- I  
4 don't have a card for you all yet.  
5 Sir, if you would come up and fill out a  
6 blue speaker's card after you speak.  
7 AUDIENCE MEMBER: I'm sorry, I didn't do  
8 it before.  
9 THE CHAIRMAN: That's okay.  
10 (Audience member approaches the podium.)  
11 THE CHAIRMAN: We'll take your name and  
12 address for the record.  
13 AUDIENCE MEMBER: My name is Richard  
14 Bronowitz, 3133 Watson Drive South.  
15 THE CHAIRMAN: Would you spell your last  
16 name for us?  
17 AUDIENCE MEMBER: B-r-o-n-o-w-i-t-z.  
18 THE CHAIRMAN: Thank you.  
19 THE REPORTER: If you would raise your  
20 right hand for me, please.  
21 MR. BRONOWITZ: (Complies.)  
22 THE REPORTER: Do you affirm that the  
23 testimony you are about to give will be the  
24 truth, the whole truth, and nothing but the  
25 truth?

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155

1 MR. BRONOWITZ: I do.  
2 THE REPORTER: Thank you.  
3 MR. BRONOWITZ: Gentlemen, I sat here  
4 listening through this, and I didn't sign the  
5 card because I figured that people were coming  
6 that would say the same things over and over  
7 again, and I didn't want to come up and say the  
8 same thing over and over again. So I wanted to  
9 say something to put a little context.  
10 From where I'm sitting, on one hand, I can  
11 understand why people would want to have this  
12 sort of activity. On the other hand, I belong  
13 to the Chabad group. And I want you to try to  
14 put a context to what I'm thinking.  
15 On Saturday afternoons, we go to synagogue  
16 for the end of our Sabbath prayer. A hundred  
17 feet away from us is going to be this bar. And  
18 the outside of the bar on Saturday afternoon,  
19 college football season, on the patio, people  
20 are going to be watching their favorite college  
21 football teams playing against each other while  
22 they're drinking, while we're trying to focus  
23 as we say farewell to the Sabbath and start our  
24 day.  
25 It is not the way that we do it; it just

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156

1 isn't. We don't have to destroy our sanctity  
2 for these people to have the kind of  
3 environment they want. I applaud what they  
4 want to do for themselves. I don't dispute  
5 that at all, but please don't destroy my life  
6 and the way I live it so that they can have it.  
7 THE CHAIRMAN: Thank you, sir. Thanks for  
8 being here. And, if you would, please fill out  
9 a blue speaker's card.  
10 Sir, we'll take you next. And if you  
11 would both fill out a blue speaker's card.  
12 (Audience member approaches the podium.)  
13 THE CHAIRMAN: Yes, sir. Your name and  
14 address, please.  
15 AUDIENCE MEMBER: Neal Finkelstein, 3092  
16 Watson Court, Jacksonville, 32257.  
17 THE CHAIRMAN: Ms. Tropia will swear you  
18 in.  
19 THE REPORTER: If you would raise your  
20 right hand for me, please.  
21 MR. FINKELSTEIN: (Complies.)  
22 THE REPORTER: Do you affirm that the  
23 testimony you are about to give will be the  
24 truth, the whole truth, and nothing but the  
25 truth?

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157

MR. FINKELSTEIN: Sure. Yes.

THE REPORTER: Thank you.

MR. FINKELSTEIN: Okay. Again, I didn't figure I was going to be speaking today, but I drive up and down San Jose Boulevard and I see a lot of strip shopping centers with a lot of vacancies. There's a lot of -- huge amounts of vacancies where they can put a sports bar with the proper parking, with the overflow parking, whatever they need. I think that's something they should reconsider and look at a different site because there's plenty of opportunities along San Jose Boulevard for that.

And I would love to go to a sports bar if they had some kosher liquor and stuff like that and watch some sports on a Sunday, but I don't --

Again, my biggest concern is my children also walking to the synagogue. And there's no time that they do or they don't. It's random. It's completely random. You can't have the policing that you need. And I've seen people get drunk and walk out and they start cursing at Jewish people because they look different and things like that.

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158

And you're just setting up for disaster with a sports bar on that exact site for that property, where across street it might work perfectly well because they don't have the cross-traffic of the people walking back and forth.

Where the DMV used to be, there's a huge opening right next to Speedway gas station. And I think the square footage is probably pretty comparable and there's plenty of places where they can probably even have outdoor seating in that location.

So I would ask them and plead with them, don't destroy what we have in this neighborhood, because you can accomplish the same business goals, community goals at a site with -- even a half-mile away because of all the vacancies that exist in these commercial buildings.

THE CHAIRMAN: Thank you, sir.

All right. Who else is here today to speak?

Ma'am, with the blue speaker's card, if you would come on up.

(Audience member approaches the podium.)

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159

THE CHAIRMAN: Thank you, Ms. Sales.

And your name and address, please.

AUDIENCE MEMBER: Hello. My name is Rebecca Fixel, F-i-x-e-l. And I live at 3068 Jacob Fixel Court 32257.

I wasn't going to speak, and I just want to reiterate what Bobby Handmaker said, and hoping that you will table this for today to hear more options.

So that property has been vacant for five years, and it's an eyesore. I mean, there are kids that are parking behind the building and doing God knows what in their cars. There's homeless people that live there, and there's a lot of undesirable activity that goes there.

Somebody was going to eventually lease it and most likely put a restaurant in it because it's zoned for a restaurant. I mean, it's a six-lane San Jose Boulevard -- six-lane commercial. I mean, we -- we knew that something eventually was going to go there.

I just would like to present the idea to everyone in the room that the person that wants to develop this family-owned sports bar is a member of our community and will listen to us,

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160

I believe, and will compromise with us more so than anybody else would, somebody who just doesn't care and wants to make a profit by moving in the building.

So consider that when we're hopefully going to have some back-and-forth conversations. I mean, the security guard is great. There's probably an option to maybe put some beautiful landscaping along there so nobody at the bar is see- -- the restaurant is seeing the people walking and vice versa. I mean, there's lots of options.

I love the idea of having the outdoor area on the front of San Jose, which is already loud and happening anyway. I mean, I hear noise from the storage facility. I hear ambulances and police cars and racing and bicycle -- motorcycles. I mean, it's just kind of the nature of the beast where we live.

So just -- my -- I'm hoping that you will table this so that there can be a little more cohesiveness between the guy that wants to do this and the community. And from there, I think we could work out a nice compromise.

Thank you for your time.

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161

1 THE CHAIRMAN: Thank you, Ms. Fixel.  
2 Thank you for being here.  
3 Could we please hear from Beth Beyer?  
4 (Audience member approaches the podium.)  
5 THE CHAIRMAN: Your name and address, please.  
6 AUDIENCE MEMBER: My name is Beth Beyer.  
7 I live at 2950 Starshire Cove, Jacksonville, 32257.  
8 THE CHAIRMAN: And Ms. Tropia will swear  
9 you in.  
10 THE REPORTER: If you would raise your  
11 right hand for me, please.  
12 MS. BEYER: (Complies.)  
13 THE REPORTER: Do you affirm that the  
14 testimony you are about to give will be the  
15 truth, the whole truth, and nothing but the  
16 truth?  
17 MS. BEYER: I do.  
18 THE REPORTER: Thank you.  
19 MS. BEYER: So I live right down the  
20 street from the Village Inn, the property. And  
21 I've experienced people walking down my street  
22 from the Barking Spider. People have come and  
23 knocked on my door. One night on Friday night,  
24 I found a gentleman standing at my dining room  
25 table, drunk. And so I am very concerned about  
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162

1 having a bar, a sports bar. And the noise  
2 level is just crazy already.  
3 So my concern is the parking, because if  
4 you're going to use the parking spaces up front  
5 of the Village Inn area, then that's going to  
6 eliminate a lot of the parking -- at least 20  
7 spots from the beginning -- the front of the  
8 building. So they're going to come to  
9 Starshire Cove to park -- their customers are  
10 coming to my street -- to walk down my street  
11 to go to this restaurant/bar, sports bar.  
12 And I don't know if you guys understand  
13 that on Friday night we are walking back and  
14 forth, not only to go to synagogue but to each  
15 other's homes for dinners. We spend -- Friday  
16 night and Saturday night for us is a humongous  
17 party besides just praying to God in our  
18 synagogues. We're at each other's homes having  
19 meals together, and there are times when we're  
20 walking home at 11:00, 12 o'clock at night.  
21 And we're going to have to go back and forth by  
22 the sports bar with our children at night and  
23 on Saturdays. So this is a huge concern for  
24 us.  
25 I understand a lot of people who have come  
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163

1 to speak on behalf of this Village Inn don't  
2 even live in this neighborhood. They live  
3 either on the beach or in San Marco. They are  
4 not invested in this neighborhood where the  
5 Village Inn is. We are. We're going to have  
6 to deal with the issues afterwards. Whatever  
7 your decision is, we're the ones who are going  
8 to have to deal with all these issues after  
9 everything is said and done.  
10 And yes, I think a restaurant would be  
11 wonderful. I think the car wash would have  
12 been probably nice, even though the traffic is  
13 an issue. But the noise, the drunkenness -- I  
14 can't even tell you how many times I have  
15 walked across San Jose Boulevard and somebody  
16 has screamed out, "You stupid, damn Jew," on  
17 San Jose Boulevard. So I think it would not be  
18 really conducive for our neighborhood and our  
19 community.  
20 The Jewish community is very large, but  
21 this neighborhood is mainly Orthodox,  
22 traditional Jewish families and nontraditional  
23 Jewish families. So I'd like for you to take  
24 that into consideration.  
25 Thank you.  
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164

1 THE CHAIRMAN: Thank you, ma'am. Thanks  
2 for being here.  
3 Is there anyone else here -- sir, if you  
4 will come on up -- or, ma'am -- I'm sorry.  
5 Ma'am, if you will come up and fill out  
6 card afterwards.  
7 Is there anyone else here today that plans  
8 to speak on this matter?  
9 MR. MECKE: I'd like to say one other  
10 thing --  
11 THE CHAIRMAN: No, sir. I'm sorry. There  
12 are rules of order here. Thank you.  
13 Ma'am, you have not spoken. If you wish  
14 to speak, please fill out a blue speaker's card  
15 right now, and we'll hear you next.  
16 Sir, you as well.  
17 (Audience member approaches the podium.)  
18 THE CHAIRMAN: Go ahead, please, with your  
19 name and address.  
20 AUDIENCE MEMBER: My name is Julia Estner.  
21 I live in Jacksonville, Florida 32257. Bernice  
22 Court, 2992.  
23 THE CHAIRMAN: And Ms. Tropia will swear  
24 you in.  
25 THE REPORTER: If you would raise your  
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165

1 right hand for me, please.

2 MS. ESTNER: (Complies.)

3 THE REPORTER: Do you affirm that the  
4 testimony you are about to give will be the  
5 truth, the whole truth, and nothing but the  
6 truth?

7 MS. ESTNER: Yes.

8 THE REPORTER: Thank you.

9 MS. ESTNER: My name is Julia Estner. I  
10 grew up in this neighborhood. I've lived here  
11 for 20 years. I'm 20 years old now. I have  
12 been through a lot in this neighborhood.  
13 I've -- used to walk around a lot more often.  
14 Since I was 12, I used to get harassed as a  
15 Jewish woman and as a woman as a whole,  
16 regardless of what I'm wearing or what I look  
17 like.

18 I do not want a sports bar to move into  
19 this location. I am totally fine if they move  
20 to another location. There are plenty other  
21 vacant areas in Jacksonville and even along the  
22 same street, as one of the other people  
23 mentioned previously.

24 But I do not want to fear my safety any  
25 more than I already do. And I don't want my

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166

1 friends and neighbors to feel that same fear as  
2 well.

3 THE CHAIRMAN: Thank you, ma'am. Thank  
4 you for being here.

5 Ma'am, if you would like to speak.  
6 (Audience member approaches the podium.)

7 THE CHAIRMAN: Your name and address for  
8 the record, please.

9 AUDIENCE MEMBER: Hi. My name is Chai  
10 Gross, C-h-a-i, 2922 Bernice Court.

11 I live a few blocks down. I don't want  
12 to -- I basically agree with --

13 THE CHAIRMAN: Ms. Tropia will swear you in.

14 THE REPORTER: If you would raise your  
15 right hand for me, please.

16 MS. GROSS: (Complies.)

17 THE REPORTER: Do you affirm that the  
18 testimony you are about to give will be the  
19 truth, the whole truth, and nothing but the  
20 truth?

21 MS. GROSS: Yes.

22 THE REPORTER: Thank you.

23 MS. GROSS: I don't have too much to add,  
24 just that I think that having this bar -- a  
25 sports bar in our neighborhood will change the

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(904) 821-0300

167

1 feeling and the dynamics of the neighborhood.

2 And I know that he's trying to say that it will  
3 add something for the teenagers to do and that  
4 there's nothing in the neighborhood -- nowhere  
5 for them to go and eat out. And there's tons  
6 of restaurants in our neighborhood.

7 And most of the kids -- I have four kids;  
8 three teenage boys and a girl. And they do  
9 sports; they go to JCA. And there's a lot of  
10 things in the neighborhood for the teenagers to  
11 do. I don't think this is lacking in our  
12 neighborhood for -- a place for teenagers to  
13 hang out.

14 This location is, like other people have  
15 said, a very Jewish neighborhood. I think that  
16 most people who spoke today probably wouldn't  
17 even be able to eat there because it's not  
18 kosher. And so -- I know that's not only for  
19 us. It's for the whole neighborhood. That  
20 location is where most of them hang out. Like,  
21 this whole block is, like, where all the Jews  
22 hang out.

23 And it's just -- it feels like it's not  
24 really for our neighborhood. So it will bring  
25 in people from other neighborhoods into our

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168

1 neighborhood who don't know that it's such a  
2 pedestrian neighborhood and to watch out and to  
3 not drive into the driveways while you're  
4 looking for parking and pulling out.

5 And I think it will be very dangerous for  
6 our children to be -- if anybody -- adults,  
7 children -- to be walking around with all of  
8 these new people coming in who don't understand  
9 what the neighborhood is like.

10 So I'm against it.

11 THE CHAIRMAN: Thank you, ma'am. Thanks  
12 for being here.

13 Could we please hear from Aryeh Gross?

14 Yes, sir.

15 (Audience member approaches the podium.)

16 THE CHAIRMAN: Your name and address for  
17 the record, please.

18 AUDIENCE MEMBER: Aryeh Gross, G-r-o-s-s,  
19 2957 Braemar Drive, Jacksonville, Florida 32257.

20 THE CHAIRMAN: And, sir, if you would get  
21 closer to the mic for us. And Ms. Tropia will  
22 swear you in.

23 MR. GROSS: Okay. Sure.

24 THE REPORTER: If you would raise your  
25 right hand for me, please.

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169

1 MR. GROSS: (Complies.)

2 THE REPORTER: Do you affirm that the  
3 testimony you are about to give will be the  
4 truth, the whole truth, and nothing but the  
5 truth?

6 MR. GROSS: Yes.

7 THE REPORTER: Thank you.

8 MR. GROSS: Very briefly, very short. I  
9 moved from New York ten years ago to  
10 Jacksonville, Florida. I lived in Brooklyn all  
11 my life. And I look different to a lot of  
12 people over here, so -- nobody like myself.  
13 I'm the only man in the community who don't  
14 drive a car. I walk to the gym, to the  
15 synagogue. I walk, like, four or five times a  
16 day, walking through the place where the  
17 Village Inn used to be.

18 And I'm not walking the street like I used  
19 to walk in Brooklyn because when I used to walk  
20 like I was in Brooklyn, certain cars who pass  
21 by on San Jose Boulevard screamed and yelled at  
22 me, "Are you Jewish?" or cursing even more.

23 And I decided that when I walk on San Jose  
24 Boulevard, I'm walking with my T-shirt, cap. I  
25 should not get attention from the people who

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170

1 walk by or drive by. And it helped. But  
2 certain times, I don't want to feel myself to  
3 go all the time, especially when I go to the  
4 synagogue. I want to go the way I go to  
5 synagogue, not like I go to the sports place.

6 It concerns me when there's going to be  
7 people, and they're going to drink and they're  
8 going to look at me. And they're going to see  
9 me many times because I walk there between five  
10 and seven, eight times a day, depends what my  
11 schedule is. But to the gym, I walk every day.  
12 So it concerns me if people who is not used to  
13 see -- or has different issues, I might be a  
14 victim from whatever it is.

15 So please consider I'm a permanent  
16 resident, very close by to the place. And I'm  
17 concerned of my safety. And please take it  
18 into consideration if you can.

19 Thank you.

20 THE CHAIRMAN: Thank you, Mr. Gross.

21 All right. Is there anyone else here  
22 today to speak on either of these two matters?

23 AUDIENCE MEMBERS: (No response.)

24 THE CHAIRMAN: Seeing none, Mr. Hainline,  
25 if you would like rebuttal.

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171

1 MR. HAINLINE: T.R. Hainline, 1301

2 Riverplace Boulevard.

3 Mr. Chairman, members of the Commission, I  
4 do a lot of zoning hearings, as you have, and  
5 this is fairly remarkable and fairly memorable  
6 for a number of reasons.

7 Let me start out by saying something that  
8 Matt Harris didn't say, but you might have  
9 gathered since he was up here. Matt Harris is  
10 Jewish and he attends one of the synagogues  
11 across San Jose. Brian Sherman, one of the  
12 speakers went into that, that they had grown up  
13 there and they saw this as a real opportunity.  
14 And certainly, Mr. Harris feels that way.

15 He'll assure you, if you want to call him  
16 up here, and I assure you that he will tolerate  
17 no anti-Semitism at any of his places of  
18 business. So people who have concerns about  
19 that, he -- he will be responsive to that,  
20 certainly.

21 But let's step back from that issue, which  
22 is a very unique and, as I said, remarkable  
23 issue, and look at some zoning aspects of this  
24 because that's what we're here on. We're here  
25 on three zoning -- two zoning applications.

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172

1 And that's what we're here on, and -- that are  
2 governed by code.

3 Your Planning Department has recommended  
4 approval. They are your staff. They looked at  
5 all the criteria and looked at the application.  
6 They have recommended approval. Some of the  
7 issues -- the big issues that have been raised,  
8 let's talk about some of them.

9 So this property is zoned CCG-1. And  
10 nobody -- that's a fact. It's been CCG-1 a  
11 long time. A lot can be approved. A lot is  
12 doable by right in CCG-1. It is not a  
13 residential piece of property. It's not in  
14 some kind of overlay that -- regarding the  
15 circumstances of that neighborhood -- that  
16 property is zoned CCG-1 and has been for many  
17 years, and a lot can happen in there by right.

18 A gas station can happen there by right.  
19 A fast-food restaurant can happen there by  
20 right. Those both generate a lot of traffic.  
21 And the fact that this is a place where people  
22 walk by doesn't get rid of that fact. It's  
23 still zoned CCG-1, and by right there are a lot  
24 of uses that can go there.

25 And Mr. Bakkar went into a number of the

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173

1 uses that have come to him over the years to do  
2 a lease, and they are uses that would generate  
3 high traffic, higher than this place, higher  
4 than the proposed establishment. Nobody's  
5 going to change that this is zoned CCG-1.

6 Alcohol. Alcohol is a tricky issue under  
7 the Code, and when it comes before you, it's  
8 never easy. As you know, in CCG-1 a restaurant  
9 that serves beer and wine can happen by right.  
10 They don't need any exception. They don't need  
11 anything. And that can happen all day long,  
12 and they can serve a million kegs a night and  
13 it's still -- if it's a restaurant serving beer  
14 and wine, they can do that.

15 Parking. I want to address parking very  
16 clearly. This site provides 77 parking spaces.  
17 The required parking for this use is 50, five  
18 zero, parking spaces. There is more than ample  
19 parking provided under this site plan, half --  
20 again, as much as is required is being  
21 provided. Again, we're providing 77; 50 is  
22 required.

23 So people may perceive that there is a  
24 parking issue, but the numbers in your code  
25 say, no, they're not only providing required

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174

1 parking, they are providing more --  
2 substantially more than the required parking.

3 So those issues that were so sincerely and  
4 heartfelt stated -- traffic, alcohol,  
5 parking -- those are issues that this site,  
6 being zoned CCG-1, providing sufficient  
7 parking, the Code allowing beer and wine,  
8 service and drinking in CCG-1, those are issues  
9 that aren't new and don't prevent this from  
10 happening.

11 So outside sale and service becomes really  
12 the thing, I think. And I was sitting there  
13 thinking that -- and Mr. Harris was sitting  
14 there thinking that. And sure enough,  
15 Mr. Handmaker who came up, the -- about three  
16 speakers ago, he came up and said, Hey, if the  
17 outside went away -- you know, give us some  
18 time. Give us a deferral, and we'll talk about  
19 what we do with this outside service. And more  
20 than one person has said that. And much of the  
21 opposition has been, Hey, this outside patio,  
22 there's going to be noise coming from it.  
23 There's going to be interaction with  
24 pedestrians. There's going to be all kinds of  
25 issues as it relates to the outside patio.

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175

1 So Mr. Harris has authorized me -- well,  
2 let's -- let me put it this way: If deferral  
3 allows for additional discussion, we'll accept  
4 a deferral. But perhaps we can head that off.  
5 Mr. Harris authorized me right now to request  
6 withdrawal of the exception for outside  
7 service. That would eliminate the patio,  
8 eliminate the outside seating.

9 And we still, though, would be seeking the  
10 exception for the alcohol sales and -- in CCG-1  
11 and the waiver. We still would be seeking  
12 those things.

13 But the exception for outside sale and  
14 service, we can withdraw that. And the patio  
15 will not be part of the plan. And there won't  
16 be anyone sitting outside. There won't be  
17 anyone interacting with the sidewalk. There  
18 won't be any noise coming from outside TVs or  
19 outside anything.

20 If we -- if the members of this commission  
21 can -- I've addressed the traffic and the  
22 alcohol and the parking issues, so as  
23 Mr. Handmaker said, I believe it focuses really  
24 on that outside. If the members of this  
25 commission believe that, with the outside patio

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176

1 gone and it being totally enclosed, then we  
2 withdraw that -- we'll ask for withdrawal of  
3 that application, and it can move forward  
4 today.

5 If the members of this commission want  
6 more time for more dialogue and more thought  
7 and more discussion, then we're open to that,  
8 too. But we're putting out there the  
9 withdrawal of the outside sale and service to  
10 see if we can move this thing forward today.

11 With that, I'm happy to answer any  
12 questions. And, of course, Mr. Harris is here  
13 as well.

14 THE CHAIRMAN: Thank you, Mr. Hainline.

15 I would like to hear from Mr. Harris one  
16 last time since there's been a long set of  
17 opposition. I would like -- in the spirit of  
18 fairness, I would like to hear from the guy  
19 trying to do this.

20 MR. HAINLINE: Thank you. Sure.

21 (Mr. Harris approaches the podium.)

22 THE CHAIRMAN: Sir, if you will have a  
23 seat. Thank you.

24 MR. HARRIS: Members of the board and the  
25 community, I am Jewish. I grew up --

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177

1 THE CHAIRMAN: Sir, I understand your  
2 passion. You'll have to stay up here with us.

3 MR. HARRIS: My apologies.

4 I grew up at the Jacksonville Jewish  
5 Center, which is how I'm able to communicate  
6 with all of the rabbis. They know me. They  
7 have known me for years. I will never do  
8 anything to harm the Jewish people. You guys  
9 are my people. Just last year, the  
10 Jacksonville Jewish Center featured me in their  
11 alumni spotlight for all I've been doing in the  
12 community.

13 Jacksonville is my home. We want this to  
14 work. When we were outside, we authorized T.R.  
15 Hainline to pull out the patio completely  
16 because we talked -- you know, it seems like we  
17 have a lot of opposition, but what really is  
18 the key here? We've heard a lot of different  
19 things. We decided, you know, it really is the  
20 outside patio. You know, that we don't even  
21 have to have the discussion. Will sound be an  
22 issue? Will people be drinking outside? All  
23 of those issues are, no. Everything is  
24 indoors. Everything should be fine.

25 The only thing you should hear is traffic  
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178

1 on San Jose. No outside speakers, no outside  
2 seating, no outside people. It seems like if  
3 we're willing to do that, then everyone can  
4 come to a compromise because, like Mr. Hainline  
5 said, this building is zoned for CCG-1. So a  
6 restaurant will come. With me, I'm accessible.  
7 I'll give everybody my phone number. You can  
8 text me; you can call me. If people are  
9 parking on your street, I'll personally have  
10 them towed. We can put up signs. We're  
11 willing to help this community. I want to see  
12 it thrive. I want it to grow.

13 And if you get a big corporate  
14 restaurant -- because -- let's all understand  
15 now, this building is zoned for CCG-1. Ramzy  
16 will eventually lease this building. He's had  
17 hookah lounges, lots of places that we do not  
18 want in this community -- but if it's a big  
19 corporate restaurant that comes in -- and they  
20 will -- they will probably be more popular than  
21 us. They will need more parking. And they're  
22 going to be, I mean, lunchtime, dinnertime,  
23 it'll be non-stop.

24 If Buffalo Wild Wings comes, they're  
25 probably not going to be as accessible. I  
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179

1 mean, if you call, like, a big chain restaurant  
2 and try talk to someone, you're on hold for  
3 30 minutes. You can't even get them on the  
4 phone.

5 With me, I'm here to help. I'm here to  
6 help you. I want to work with you, which is  
7 why we're willing to -- like, we took everyone  
8 into consideration. We said, What do we need  
9 to do to come to agreement? And it seems like  
10 if we remove that patio, then everyone is on  
11 the same page. We take away a lot of concern.

12 THE CHAIRMAN: Thank you, sir. Thanks for  
13 being here.

14 All right. With that, I'll close the  
15 public hearing and bring it back to the  
16 Commission.

17 COMMISSIONER HACKER: Mr. Chairman, I move  
18 for approval, for discussion purposes, E-21-16  
19 and, I guess, as amended to remove the outside  
20 service.

21 COMMISSIONER MOLDOVAN: Second for  
22 discussion purposes only.

23 THE CHAIRMAN: All right. So I have a  
24 motion and a second for approval of the  
25 exception on this matter for discussion

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180

1 purposes. I know there's discussion of  
2 withdrawing the outdoor seating, but let's go  
3 ahead and get to where we can start talking.

4 Commissioner Blanchard.

5 COMMISSIONER BLANCHARD: Thank you, Chairman.

6 There's a lot of comments, a lot to take  
7 in, but a couple of things I want to get off my  
8 chest.

9 Some of the comments about potential hate  
10 crime and this bigotry and racism and things,  
11 that -- that is this sort of expectation. I  
12 mean, to folks like me, I found that a little  
13 bit offensive. I mean, I think that's  
14 almost -- the division that you're creating in  
15 society -- I'm sure things happen, terrible  
16 things happen to everybody and there's ignorant  
17 people out there, but I hate to see that as an  
18 excuse for this. And that bothered me.

19 The second thing I have to get off my  
20 chest is the comment about that we've already  
21 made up our minds. That is insensitive and  
22 certainly untrue. And those types of comments  
23 don't help your cause.

24 With that off my chest, I'll tell you that  
25 I lived in this community for the last

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181

1 18 years. And so I lived on Sandy Branch Lane,  
2 which is at the very end of Starshire where it  
3 connects back. And all of the Jewish community  
4 walked in front of my house and cuts down  
5 Starshire to go to the synagogue. So I'm very  
6 familiar with it. I've been there a long time.

7 I've pushed a baby carriage by the  
8 synagogue and by the Village Inn and all that.  
9 And we used to buy the French silk pies for  
10 Thanksgiving, and they were pretty good. The  
11 food there was terrible, but the pies were  
12 great. I don't know what they put in them, but  
13 they were fantastic, so I'm with you. I'm there.

14 So I think there's been some good comment.  
15 So about -- what are we really here for? I  
16 mean, it's a commercial property. San Jose  
17 Boulevard is one of the busiest commercial  
18 roads in the city, and there's sort of a strip  
19 down both sides of San Jose where it's real  
20 intense use along both sides. And so there's  
21 certainly an expectation to anybody that's  
22 there that, hey, there's going to be some  
23 commercial activity here.

24 So, you know, with all that said -- and  
25 I've got other thoughts on crossing and things

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182

1 like that, but through the Chair to staff,  
2 could you -- and I heard comments, this is a  
3 bar; this is -- could you explain the  
4 definition of a bar and what this is?

5 And it's a little bit even confusing for  
6 us, but what specifically are those numbers and  
7 the obligations here and what's the application  
8 for?

9 MR. HUXFORD: Through the Chair, so the  
10 liquor license type that they are asking for is  
11 a 4-COP SRX. Nightclubs would use a quota  
12 license, which is -- there's a limited number  
13 available in the county. They cost about half  
14 a million dollars, but it's not tied to the  
15 sale of food.

16 The type of license that they are asking  
17 for is, they have to derive at least 51 percent  
18 from their profits from the sale of food or  
19 nonalcoholic beverages. They also have to have  
20 at least 150 seats, and they have to have a  
21 certain square footage, which -- I don't have  
22 it in front of me. I think it's around 2,500,  
23 but they have met that. So this falls under  
24 our definition of a restaurant asking for  
25 alcohol sales, not a nightclub.

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183

1 COMMISSIONER BLANCHARD: Thank you.

2 MR. HUXFORD: Additionally, if it was a  
3 nightclub, the distance requirement would be  
4 1,500 feet, not 500 feet.

5 COMMISSIONER BLANCHARD: Is the Monkey's  
6 Uncle -- is that a bar? It's got to be.

7 MR. HUXFORD: It's got to be.

8 AUDIENCE MEMBER: It's a bar. They  
9 serve --

10 COMMISSIONER BLANCHARD: No, no, no.

11 So, you know, with all due respect, I  
12 don't know that I need to know.

13 But anyway, so it's a restaurant. You  
14 know, this zoning, typically you'll see alcohol  
15 by right. You know, I'm -- I'm in support of  
16 it. Familiar with the community. I just have  
17 a hard time saying that someone can't use their  
18 commercial property when everybody else around  
19 there has kind of the same thing.

20 Like, the restaurant across the street,  
21 that was, like, the Red Elephant or something  
22 like that. That's very similar. It was a  
23 restaurant, had a little bar. This is probably  
24 going to have a bigger bar and a bigger  
25 kitchen. I don't think you can discriminate

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184

1 against them because you might be harassed or  
2 because -- because of traffic. Because  
3 whatever goes there is going to create traffic,  
4 and Village Inn always had traffic, too.

5 You can't close Haley because people  
6 coming in and out couldn't go north if you're  
7 coming out. And you couldn't come in if you  
8 were going -- you couldn't come in if you were  
9 going north and couldn't come back north. The  
10 traffic would be terrible if you close Haley.

11 So bottom line is, for me -- and I'm  
12 probably one of the few people that have lived  
13 in this community and I've been to the Time Out  
14 Grill on Beach Boulevard, which is probably a  
15 weird combo, so I'm familiar with both, and  
16 familiar with this concept, but I would be in  
17 favor of it.

18 With COVID and so many of the -- so much  
19 of the push that we've seen in the last two  
20 years here, we have approved dozens of  
21 applications for outside seating because that's  
22 kind of the new thing. And so I would even not  
23 be in favor of omitting that because I think  
24 that's a critical component to most  
25 restaurants. And if you get a regular

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185

1 restaurant in there, it's going to happen  
2 anyway.

3 So anyway, I would be in favor of it. I  
4 would be in favor of keeping the outdoor dining  
5 and service there. Very common for people that  
6 are smoking, who are still alive, and for  
7 the -- you know, just for COVID concerns and  
8 things like that. So that's my position.

9 But the last thing that I would say and  
10 I'll be quiet -- I know everybody has comments,  
11 but this -- you're in an unusual situation. So  
12 I've moved. And where I live now, we don't  
13 have dozens or hundreds of people crossing the  
14 road all the time, but in this community you  
15 do. So maybe there's something else that could  
16 be done there for safety and for crossing. And  
17 not so much from the bar, who may yell what. I  
18 can't help you with that. But for the safety  
19 of crossing the road, maybe there's a different  
20 type of crosswalk that could be done. I know  
21 FDOT did a study on it.

22 You know, my faith is different than  
23 yours. On Saturdays, I know you won't press  
24 the button for the crosswalk, and that's  
25 foreign to me. And I, you know, can't quite

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186

1 process that. And people would run across the  
2 road and not at the crosswalk and things. And  
3 I've almost hit people there myself.

4 So, you know, there's got to be a way that  
5 this community can accommodate you and make  
6 that crossing better and safer from a  
7 pedestrian standpoint.

8 AUDIENCE MEMBER: If you don't mind --

9 THE CHAIRMAN: We take no comment from the  
10 public.

11 Thank you.

12 COMMISSIONER BLANCHARD: So whether that's  
13 some additional flashing lights or something,  
14 but I think there's a way to maybe work with  
15 the councilman to create some additional safety  
16 there so you can get back and forth across the  
17 road and honor your faith, but do it in a safe  
18 way. So I think there's something that needs  
19 to be done.

20 As far as prohibiting this -- this  
21 restaurant and their use of alcohol, I don't  
22 think that's the way. I don't think that's  
23 going to affect the community. And I always  
24 thought this would be a Jewish restaurant or  
25 bakery or something. And I always thought it

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187

1 would happen and it never did. And in some  
2 ways I wish it did, but it didn't, so here we  
3 are.

4 Those are my comments. I'm definitely in  
5 support of this, as well as the outdoor  
6 seating. I do think there's some  
7 accommodations and safety things that could be  
8 made with the City or with FDOT.

9 No further questions and comments,  
10 Chairman. And I apologize for my long  
11 comments.

12 THE CHAIRMAN: Thank you, Commissioner  
13 Blanchard. I certainly want to hear from you  
14 with, you know, spending so much time in that  
15 neighborhood.

16 Further discussion from the Commission?  
17 Commissioner Hacker.

18 COMMISSIONER HACKER: Thank you,  
19 Mr. Chairman.

20 I enjoyed listening to everyone's  
21 testimony. I tend to agree with Commissioner  
22 Blanchard that I think the use makes sense.  
23 The outside service, to me, I -- I think that  
24 does make sense given the -- you know, the sign  
25 of the times. You guys were vastly opposed

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188

1 with each other, but I think there's a lot of  
2 common ground. No one wants to see the Village  
3 Inn, you know, continue to just sit there.  
4 Nothing good comes from that.

5 And I think the silver lining here is  
6 that, you know, the man who is going to open  
7 the shop is one of -- you know, one of your  
8 own, born and bred there and went to school  
9 there. And I think that's something that is  
10 really unique and an opportunity.

11 But, Matt, when I look at this, buddy, I  
12 don't know that this is your target audience.  
13 Like, this is Beach Boulevard, you know what I  
14 mean? This is Long Island pitchers, you know,  
15 which were delicious, but I don't know if  
16 that's the same concept you want over here. So  
17 I think you have got a good community, a lot of  
18 potential customers for sure that are literally  
19 walking by your place. And you guys have got a  
20 great operator, you know, who's -- you guys  
21 have a great operator who is from the  
22 neighborhood that clearly cares about the  
23 community.

24 I don't think this is a concept that gets  
25 it there. Again, this is all kind of my

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2021-03-24  
ON FILE

189

1 personal opinion. I look forward to hearing  
2 what the rest of the Commission has to say. I  
3 would be in, I think -- I think in favor of  
4 a -- you know, to kick this down the road a  
5 little more, to defer it. But I'm also a  
6 little bit nervous about that because this  
7 is -- a lot of man-hours have gone in this one  
8 meeting today. So I look forward to what my  
9 other commissioners have to say.

10 THE CHAIRMAN: Thank you, Commissioner Hacker.

11 Commissioner Porter, you don't speak real  
12 often, so -- no offense -- let's hear from you.

13 COMMISSIONER PORTER: Thank you, Chairman.

14 So I think that, you know, I'm in favor of  
15 something happening here. I think it maybe is  
16 not that far away from what's on this site  
17 plan, but -- I think that either going to no  
18 outside sales or deferring and finding a way to  
19 get a site plan where maybe the outside sales  
20 is on the north side of the building instead of  
21 the south side or there's a landscape buffer or  
22 maybe the hours of operation are limited, I  
23 think that makes sense, and I think -- you  
24 know, I wouldn't be comfortable just approving  
25 this as it's applied for at the moment.

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190

1 Thank you, Mr. Chairman.

2 THE CHAIRMAN: Thank you, Commissioner Porter.  
3 Commissioner Moldovan.

4 COMMISSIONER MOLDOVAN: I have two reasons  
5 why I have reservations for this application.  
6 The first is the intensity of it. I heard one  
7 member of the community mention that even  
8 Cracker Barrel has an alcohol license.  
9 However, Cracker Barrel is not full liquor.  
10 They also don't -- probably don't have  
11 promotions for larger amounts of alcohol. They  
12 don't have pitcher deals. They probably don't  
13 have towers of beer.

14 Additionally, the other issue that I have  
15 reservations with is the location. Cracker  
16 Barrels aren't placed at the access entry point  
17 to a residential neighborhood. In my opinion,  
18 I think this is just a little too close to the  
19 neighborhood.

20 Additionally, you know, I think that the  
21 reason we have exceptions for these types of  
22 applications are so that we can hear from the  
23 community and understand the history of the  
24 neighborhood and the culture of the  
25 neighborhood. And what I'm hearing is

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191

1 there's -- you know, there's history. There's  
2 a fatal incident in the past. I think this  
3 would be absolutely insulting to this community  
4 to approve this.

5 You know, I think there would be a couple  
6 of things that would make this a little bit  
7 more palatable. For me, personally, I would  
8 like to see egress on Haley closed off. I  
9 think that that's just welcoming a bad  
10 opportunity.

11 Also, I don't think the issue -- I don't  
12 think there's much of an issue, in my opinion,  
13 with outdoor sales and service as much as it is  
14 just -- you know, the full liquor is where I  
15 really kind of step back on this one.

16 I also think it would be a lot easier if  
17 it were just 2-COP, beer and wine. From what  
18 I'm hearing, you know, by right that could go  
19 in. And we probably wouldn't be here  
20 discussing it right now if it were just a 2-COP.

21 I think people know my thoughts on  
22 exceptions and waiver liquor distances when it  
23 comes to religious institutions. I don't think  
24 they should have the first right of refusal.

25 However, this is a unique situation, and I'll

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192

1 leave it at that.

2 I look forward to hearing from other  
3 commissioners. I'd be okay with a deferral,  
4 but as of right now, I can't support it.

5 Thank you, Mr. Chairman.

6 THE CHAIRMAN: Thank you, Commissioner  
7 Moldovan.

8 Commissioner Brown.

9 COMMISSIONER BROWN: Thank you.

10 Through the Chair, I used to live on  
11 Big Tree, which is not too far. There was a  
12 Talbots at the corner before; I don't know if  
13 it's still there. And my high school daughter  
14 was, like, one. So I do remember -- your  
15 community has been walking this area --  
16 certainly when I was there. I know you still do.

17 What's interesting is you've almost --  
18 it's not in the Code, it's not on any map, but  
19 you've almost created your own unique overlay.  
20 I know Commissioner Blanchard has seen it  
21 firsthand. I have -- I can't speak to  
22 everybody else, but it's almost strange. I  
23 mean, it's very busy right there. And I  
24 remember, especially crossing San Jose -- I  
25 don't know if the -- the chicken place right

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ON FILE

193

1 there by Speedway is still open. There was  
2 Boston Market -- anyways, you can't talk to  
3 me -- I'm just -- yeah, it's this funny thing  
4 where I just look at you and speak and you  
5 can't really say anything. But I'm going to  
6 down memory lane.

7 And so much pedestrian traffic and --  
8 which is very unique. I wasn't raised in your  
9 faith tradition, but I can certainly respect,  
10 like, the devotion, the family support, the  
11 community support. We -- he -- the applicant  
12 can't do this by right for a reason. You've  
13 got to come before this board for a reason.  
14 And I did take offense to the woman earlier who  
15 said we have our minds made up. Clearly, we  
16 don't. So dismiss that.

17 And this time is not wasted. I think  
18 Commissioner Hacker mentioned, you know, if we  
19 defer -- it's not wasted because we've already  
20 had the discussion. We could come back and be  
21 closer to a consensus.

22 I'm going to have a hard time approving  
23 this today. It just doesn't sit well. There's  
24 a reason why we have this process. Maybe it's  
25 because I watched your community walk these

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194

1 streets in bulk, you know, with all age groups  
2 and -- the slow, elderly, slightly infirm, down  
3 to the children, the buggies -- it's  
4 interesting. And I respect it. I will say one  
5 thing that's hopefully possible.

6 I hope the applicant -- if we defer, I  
7 hope the applicant can work with the community  
8 because I'll tell you what's really unique:  
9 You have got a CCG property on a signalized  
10 corner on San Jose Boulevard. It's, like --  
11 it's going to happen, people. It's been  
12 vacant, and it's going to be a whole lot worse  
13 than homeless people sleeping in the parking  
14 lot.

15 It's probably going to be a quick-service  
16 restaurant, which is real estate slang for -- I  
17 know you already have a Chick-fil-A, but  
18 something really fast, spinning around that  
19 corner with two points of access. You want to  
20 push your buggies with that? You would  
21 rather -- honestly, you would rather him run a  
22 respectable operation where people park and  
23 stay probably an hour or more. You just don't  
24 want them drunk driving. You want to have a  
25 good operator -- bear with me. I'll wrap it

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195

1 up. This variance stays with the operator. If  
2 he comes in and doesn't have success for  
3 whatever reason and leaves, the next guy can't  
4 just roll right in and do this. They have to  
5 come back here.

6 We're also -- this board is final action  
7 on this. It doesn't go anywhere else, so we've  
8 got to take it really seriously. I mean, you  
9 can you appeal it off of us, but we make the  
10 decision for this particular thing.

11 So I do have a problem that it's adjacent  
12 to a religious facility. I don't see how you  
13 can be, like, shooting free throws, like, right  
14 up against the -- I mean, if you're trying to  
15 be quiet and pray. I was raised in a different  
16 tradition, but it was still quiet in church,  
17 and I could barely focus then.

18 I love the ideas, the basketball  
19 tournaments that -- there's more energy out of  
20 this applicant than we may have ever seen in my  
21 time. And I love that. Keep in mind, he may  
22 be your golden ticket to getting something on  
23 this corner that you can tolerate. I don't  
24 mean like, but tolerate. Because if it's  
25 corporate, they're not going to care. They're

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196

1 go to look at traffic counts, demographic, the  
2 corner, and they're going to put whatever they  
3 think is good there. You do have an applicant  
4 from your community. Keep that in mind. But I  
5 don't want to approve it until you guys talk  
6 some more.

7 Last thing I'll say is, I think the  
8 outdoor seating should stay, but -- maybe slide  
9 up the building so it still faces San Jose,  
10 but -- it wouldn't be a big slide, but  
11 literally just move it up to the top of the  
12 building, still facing San Jose. It would  
13 create, you know, 25, 30 more feet of buffer to  
14 Haley. And you could landscape it and sound  
15 buffer it a little bit.

16 But I think in 2021 to say you can't do  
17 outdoor seating facing San Jose Boulevard  
18 where, you know, you got -- people are revving  
19 their Harleys and driving up to Cheers or  
20 whatever they're doing, I don't know how we can  
21 take that away. But I hope you guys can talk  
22 and work something out.

23 THE CHAIRMAN: Thank you, Commissioner Brown.  
24 Further discussion from the Commission?

25 COMMISSION MEMBERS: (No response.)

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197

1 THE CHAIRMAN: Well, a lot has already  
2 been said, you know, from all sides. I really  
3 agree with Commissioner Blanchard that, you  
4 know, obviously we resent any sort of  
5 indications that we've already made decisions  
6 or that, you know, in any way this rezoning  
7 would be something that would lend to an  
8 anti-Semitic crime or any anti-Semitic  
9 sentiment. I absolutely despise anti-Semitism,  
10 for the record, and I just -- this is a tough  
11 one.

12 Mr. Hainline said it best to call it  
13 remarkable for many reasons. I would be  
14 inclined -- I know the applicant is probably  
15 eager to move forward very quickly, but I would  
16 be more inclined to defer for one cycle so that  
17 we can consider -- and not remove the outdoor  
18 seating. I like the idea of swapping with the  
19 handicapped parking to the north.

20 But, I mean, we do have waivers of liquor  
21 distance for religious organizations and  
22 institutions for a reason, and I can't think of  
23 a more textbook situation than this, where  
24 there is a practical outcry for practical  
25 reasons of, you know, walking about on the

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198

1 Sabbath. So for that reason, I'm most inclined  
2 to defer it.

3 And I also echo what Commissioner Brown  
4 has said. You know, I don't know that there's  
5 another matter that's given me more deep  
6 thought or pause to figure out what I truly  
7 feel is the right thing to do. And I agree  
8 with Commissioner Brown that, you know,  
9 Mr. Harris is running an organization. He's of  
10 the culture. He's of Duval. He cares. He's  
11 conscientious. He obviously conducts himself  
12 with excellence.

13 And we often talk here about a bird in the  
14 hand, you know, and it will often come up, and  
15 the public doesn't like it. And we'll say,  
16 Well, here is what I can do by right. And then  
17 they'll start rolling out things that are  
18 scarier than what someone is trying to come in  
19 and do. But that occurs for a reason, because  
20 it's the reality of the law and of the legal  
21 system and the Zoning Code.

22 So I would very much agree with  
23 Commissioner Brown to say a lot of weight needs  
24 to be given to the fact that Mr. Harris is from  
25 the neighborhood. He is -- he's passionate

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199

1 about the neighborhood. You're not going to  
2 find that again with, you know, some -- you  
3 know, some car wash from North Dakota who's  
4 trying to expand all over Florida and their  
5 footprint and is not going to regulate the bass  
6 on the cars on the Sabbath, you know, out  
7 there -- while they're out there, you know,  
8 washing cars through an express wash, and all  
9 these other things that can happen. That's  
10 unfortunately what happens when you have CCG-1  
11 next to RLD-90. This is -- none of us really  
12 asked for this situation in a sense.

13 So, with that, I'll say that Mr. Hainline  
14 is one of the most reasonable, kind, and, you  
15 know, equally sharp land use attorneys in town.  
16 So I would hope to move this to a deferral for  
17 one cycle or the amount of cycles at the  
18 request of Mr. Hainline. I also defer to  
19 Mr. Hainline to hear his thoughts on what we're  
20 discussing, but I would certainly like to move  
21 toward deferral so that maybe a little more  
22 workshopping can occur.

23 Mr. Hainline, if you would come up. I'd  
24 just like to hear your thoughts on how this is  
25 going.

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200

1 (Mr. Hainline approaches the podium.)

2 MR. HAINLINE: T.R. Hainline, 1301  
3 Riverplace Boulevard.

4 We appreciate all the careful thoughts and  
5 comments. We're amenable, as I said earlier,  
6 to a deferral. I will not be in town on May  
7 the 6th. That's just a fact. Sorry. But I  
8 know that the May the 20th agenda is a little  
9 busy.

10 I mean, I guess -- I guess what -- I guess  
11 what I would like to say is maybe a deferral to  
12 May the 6th, and then we let you know whether  
13 we need an additional deferral, if that's  
14 acceptable to you.

15 Because then if Matt -- if Mr. Harris is  
16 willing to work out something or is able to do  
17 something or do something that might work by  
18 May the 6th, then we can -- then he can do it  
19 then. But if not, and if it seems like we need  
20 more time or if he would like me there, then we  
21 can defer to the 20th.

22 So I'd like to say, let's defer to the 6th  
23 and -- with a possibility that we will request  
24 an additional deferral and we will absolutely,  
25 positively communicate with the community as to

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201

1 if and when -- well, we'll communicate with the  
2 community, period. But in addition, we will  
3 let the community know whether we ask for an  
4 additional deferral.

5 Is that responsive to your question?

6 THE CHAIRMAN: Yes, sir. Thank you.

7 MR. HAINLINE: Okay. Thank you.

8 COMMISSIONER HACKER: Mr. Chairman, I move  
9 to defer to May 6th.

10 COMMISSIONER MOLDOVAN: Second.

11 THE CHAIRMAN: We have a motion and a  
12 second to defer to May 6th.

13 Commissioner Hacker, would you allow in  
14 your deferral the option that the applicant  
15 reserves the right to defer additionally until  
16 May 20th?

17 COMMISSIONER HACKER: Yes.

18 THE CHAIRMAN: Motion and a second for  
19 deferral to May 6th with the option to defer  
20 additionally to May 20th.

21 Any discussion from the Commission?

22 COMMISSION MEMBERS: (No response.)

23 THE CHAIRMAN: Seeing none, we have a  
24 motion and a second to defer.

25 All those in favor?

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202

1 COMMISSION MEMBERS: Aye.

2 THE CHAIRMAN: Any opposed?

3 COMMISSION MEMBERS: (No response.)

4 THE CHAIRMAN: That motion passes unanimously.

5 COMMISSIONER HACKER: Mr. Chairman, I move  
6 to defer WLD-21-04 to May the 6th with the  
7 option to extend to May the 20th.

8 COMMISSIONER MOLDOVAN: Second.

9 THE CHAIRMAN: All right. I have a motion  
10 and a second to defer WLD-21-04 to May 6th with  
11 the option to defer to May 20th.

12 Any discussion from the Commission?

13 COMMISSION MEMBERS: (No response.)

14 THE CHAIRMAN: Seeing none, I have a  
15 motion and a second to defer.

16 All those in favor?

17 COMMISSION MEMBERS: Aye.

18 THE CHAIRMAN: Any opposed?

19 COMMISSION MEMBERS: (No response.)

20 THE CHAIRMAN: That motion passes.

21 Thank you all for being here. We will  
22 likely see you again in a couple of weeks.

23 Could we please go to 2021-0174.

24 Ladies and gentlemen, if you would  
25 maintain some -- if you would speak in the

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203

1 hallway, that would be very helpful for us.

2 Thank you.

3 (Brief pause in the proceedings.)

4 THE CHAIRMAN: Folks, if we could go to  
5 the ordinances next.

6 MR. HUXFORD: All right. First one is  
7 Ordinance 2021-0174. This is seeking to  
8 address townhouses and row houses.

9 The issue had come up with the topic of  
10 two-unit townhomes because we don't have a  
11 definition of a "duplex," so is it a duplex or  
12 is it a townhome, and which standards should be  
13 used?

14 When you have multifamily, which a duplex  
15 would be considered -- there are enhanced  
16 setbacks; whereas, if you do a townhome, you  
17 know, I think your end unit has to be 25 feet  
18 and the middle units have to be 15 feet. But,  
19 conceivably, if you did it with two units and  
20 you wanted to call it a townhome, you could do  
21 a 25 and a 25, but that's not really clear in  
22 the code.

23 Also, if you're just doing two units,  
24 under Chapter 654 you wouldn't necessarily have  
25 to plat. You might be subject to an exemption.

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204

1 However, the way the code reads right now under  
2 Part 4 for townhomes, regardless of the number  
3 of units, even if it's only two, you have to  
4 plat, even if the platting folks wouldn't  
5 otherwise make you do it. So we're taking that  
6 out so that if you are subject to exemptions in  
7 Chapter 654, you could take advantage of them.  
8 Not you, but a developer.

9 So that's the essence of the bill. This  
10 was introduced by the administration to kind of  
11 resolve the issue. And, obviously, we have no  
12 issues with it and we recommend approval.

13 THE CHAIRMAN: Thank you, Folks.

14 Seeing no one here to speak on this  
15 matter, I'll close the public hearing and bring  
16 it back to the Commission.

17 COMMISSIONER HACKER: Mr. Chairman, I move  
18 to approve 2021-0174.

19 COMMISSIONER MOLDOVAN: Second.

20 THE CHAIRMAN: All right. We have a  
21 motion and a second for approval of 2021-0174.

22 Any discussion from the Commission?

23 COMMISSION MEMBERS: (No response.)

24 THE CHAIRMAN: Seeing none, we have a  
25 motion and second for approval.

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2021-374  
ON FILE

205

1 All those in favor?  
2 COMMISSION MEMBERS: Aye.  
3 THE CHAIRMAN: Any opposed?  
4 COMMISSION MEMBERS: (No response.)  
5 THE CHAIRMAN: Motion passes.  
6 Could we please open the public hearing on  
7 2021-0175.  
8 MR. HUXFORD: Thank you, Mr. Chairman.  
9 Ordinance 2021-0175 deals with the issue  
10 of nonconforming uses in our Zoning Code.  
11 So from time to time this commission will  
12 see land use amendments and/or rezonings -- in  
13 fact, you had one a couple of cycles ago over  
14 in the Fairfax neighborhood, where it was an  
15 old store that had been developed somewhere  
16 around War II, but that had sat vacant for over  
17 a year. And that whole block was zoned  
18 residential, so it had lost its grandfather  
19 status. They had to come in and do a land use  
20 amendment to Neighborhood Commercial and -- as  
21 well as a zoning just to reuse the store for  
22 its traditional use.  
23 The problem is that creates a spot zone.  
24 And while this isn't really an issue in newer,  
25 suburban areas, if we have areas that were  
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206

1 developed, especially before the City and  
2 County consolidated, it's not at all uncommon  
3 to have a commercial building amidst a row of  
4 residential development. It could work the  
5 other way as well. So when you look at Rogero  
6 Road and you have -- where it was all built as  
7 residences, but then when we adopted our  
8 Comprehensive Plan it got rezoned and now it's  
9 all commercial. Well, what if someone wants to  
10 go in and use it as a house?  
11 So what the LUZ Committee has done is put  
12 together a process. And we've helped them,  
13 along with OGC, where our zoning administrator  
14 has a certain process that could be used to  
15 restore the legal non-conforming status of a  
16 property. That way, we don't have to mess up  
17 our zoning maps with spot zones and unusual  
18 land use amendments. It wouldn't be applicable  
19 to just anything; there are some restrictions,  
20 alcohol being a major one, because what we  
21 would not want is a juke joint or something  
22 like that that's lost its grandfather status to  
23 be able to ask and come back in.  
24 So alcohol-serving establishments would  
25 not be entitled to use this, but retail  
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207

1 establishments or houses or duplexes that have  
2 historically been used for that use and they've  
3 just lost their grandfathering, this creates a  
4 process where they come in, and through an  
5 administrative process rather than the rezoning  
6 process, get their traditional use restored.  
7 THE CHAIRMAN: Thank you, Folks.  
8 Seeing no one else here today to speak on  
9 2021-0175, I'll close the public hearing and  
10 bring it back to the Commission.  
11 COMMISSIONER HACKER: Mr. Chairman, I move  
12 approval of 2021-0175.  
13 COMMISSIONER MOLDOVAN: Second.  
14 THE CHAIRMAN: I have a motion and a  
15 second for approval of 2021-0175.  
16 Any discussion from the Commission?  
17 COMMISSION MEMBERS: (No response.)  
18 THE CHAIRMAN: Seeing none, I have a  
19 motion and a second for approval.  
20 All those in favor?  
21 COMMISSION MEMBERS: Aye.  
22 THE CHAIRMAN: Any opposed?  
23 COMMISSION MEMBERS: (No response.)  
24 THE CHAIRMAN: That motion passes.  
25 MR. HUXFORD: It will be interesting if  
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208

1 LUZ denies it. I don't think they will.  
2 THE CHAIRMAN: All right. Any old  
3 business to discuss?  
4 (No response.)  
5 THE CHAIRMAN: Any new business to  
6 discuss?  
7 (No response.)  
8 THE CHAIRMAN: All right. That concludes  
9 our meeting.  
10 Thank you.  
11 (The foregoing proceedings were adjourned  
12 at 5:01 p.m.)  
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2021-374  
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STATE OF FLORIDA)

COUNTY OF DUVAL )

I, Diane M. Tropia, Florida Professional  
Reporter, certify that I was authorized to and did  
stenographically report the foregoing proceedings and  
that the transcript is a true and complete record of my  
stenographic notes.

DATED this 27th day of April 2021.

\_\_\_\_\_  
Diane M. Tropia  
Florida Professional Reporter

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<b>\$</b>	1650 [1] - 13:18 17 [1] - 107:11 17,000 [1] - 61:11 177 [1] - 68:15 18 [1] - 181:1 1940 [1] - 118:7 1977 [1] - 151:19 1984 [1] - 17:4 1:08 [2] - 1:7, 2:1 1st [2] - 1:8, 146:24	38:3, 38:20, 43:16, 44:11, 44:15, 48:19, 48:24 2021-0169 [7] - 6:22, 61:1, 61:5, 61:23, 64:14, 64:20, 64:25 2021-0170 [1] - 6:6 2021-0171 [6] - 6:21, 59:5, 59:8, 60:7, 60:13, 60:16 2021-0174 [5] - 6:23, 202:23, 203:7, 204:18, 204:21 2021-0175 [6] - 6:24, 205:7, 205:9, 207:9, 207:12, 207:15 2046 [2] - 8:13, 97:14 208 [2] - 37:18, 42:19 20th [6] - 200:8, 200:21, 201:16, 201:20, 202:7, 202:11 214 [1] - 1:8 22 [4] - 1:8, 2:1, 49:18, 131:12 22nd [2] - 2:4, 62:5 24 [3] - 50:15, 61:9, 70:7 24-hour [1] - 63:10 247 [4] - 95:21, 95:24, 96:22, 99:3 25 [7] - 55:8, 55:20, 98:19, 99:13, 203:17, 203:21 25,000-square-foot [1] - 39:3 25-foot [1] - 38:17 26 [2] - 88:3, 125:25 2651 [1] - 133:18 27th [1] - 209:15 2801 [1] - 111:20 2886 [1] - 86:19 2922 [1] - 166:10 2937 [1] - 89:3 2949 [1] - 82:19 295 [1] - 13:1 2950 [1] - 161:7 2957 [1] - 168:19 2986 [1] - 140:15 2989 [1] - 116:8 2987 [1] - 87:21 2992 [2] - 93:19, 164:22	196:13 300 [2] - 152:11, 152:24 3041 [2] - 150:17, 150:20 3057 [2] - 20:11, 104:2 3068 [1] - 159:4 3092 [1] - 156:15 3114 [3] - 22:4, 100:6, 128:20 3133 [1] - 154:14 320 [1] - 146:23 32204 [2] - 13:19, 133:20 32205 [1] - 127:4 32207 [1] - 132:14 32217 [1] - 137:11 32221 [2] - 28:21, 143:18 32223 [1] - 16:15 32226 [2] - 51:17, 54:12 32256 [1] - 116:9 32257 [6] - 22:5, 74:12, 93:20, 111:21, 156:16, 159:5, 161:7, 164:21, 168:19 32266 [1] - 8:13 35 [2] - 50:15, 55:20 353 [1] - 7:24 360 [1] - 7:24 3835 [1] - 51:15 3915 [1] - 54:11 3917 [2] - 49:16, 59:8 3:10 [1] - 115:20	500 [5] - 55:15, 69:1, 105:17, 152:18, 183:4 509 [1] - 124:11 51 [1] - 182:17 5755 [1] - 10:16 5:01 [1] - 208:12
<b>0</b>	<b>2</b>	<b>6</b>	<b>7</b>	
0 [1] - 152:25 0.65 [1] - 50:15 0166 [1] - 6:18 0167 [1] - 37:20 0168 [2] - 6:19, 37:20 0341 [2] - 5:22, 6:2	2 [10] - 15:20, 31:20, 31:22, 44:21, 47:19, 48:16, 79:17, 81:4, 81:11, 81:14 2,500 [1] - 182:22 2-COP [2] - 191:17, 191:20 2.5 [1] - 61:5 20 [6] - 15:16, 94:10, 107:7, 108:25, 135:16, 162:6, 165:11 2013 [1] - 17:5 2015 [3] - 13:10, 41:25, 123:9 2016 [3] - 70:5, 123:11, 126:1 2017 [1] - 107:4 2018 [1] - 123:2 2019 [3] - 123:2, 123:9, 123:11 2020 [1] - 47:21 2020-0020 [1] - 6:4 2020-0340 [2] - 5:22, 6:1 2020-0391 [1] - 6:2 2020-0575 [1] - 6:3 2020-0689 [1] - 6:4 2021 [1] - 1:6, 2:1, 2:4, 4:8, 4:21, 4:23, 5:1, 118:6, 122:22, 196:16, 209:15 2021-0011 [1] - 6:5 2021-0111 [1] - 13:5 2021-0137 [7] - 6:20, 49:13, 49:16, 55:1, 56:3, 56:9, 56:12 2021-0165 [6] - 6:17, 30:14, 30:18, 33:23, 34:4, 34:7 2021-0166 [5] - 30:15, 32:6, 33:23, 35:20, 35:23 2021-0167 [6] - 6:18, 36:11, 36:13, 43:16, 43:22, 43:25 2021-0168 [6] - 36:11,	6,000 [1] - 27:13 6,200 [1] - 25:20 60-foot-wide [1] - 27:12 60s [2] - 58:1, 58:3 654 [2] - 203:24, 204:7 656.133 [1] - 148:21 656.1601 [1] - 120:19 656.604 [1] - 7:16 6944 [1] - 137:10 6th [6] - 200:7, 200:12, 200:18, 200:22, 201:9, 201:12, 201:19, 202:6, 202:10	7 [1] - 108:24 7,000 [1] - 61:11 70 [1] - 87:24 706 [1] - 146:24 70s [3] - 57:22, 58:1, 58:3 72 [1] - 131:8 74 [1] - 87:25 77 [3] - 75:11, 173:16, 173:21 7827 [1] - 28:20	
<b>1</b>	<b>3</b>	<b>4</b>	<b>8</b>	
1 [6] - 46:5, 46:11, 48:20, 48:25, 129:20, 152:25 1,363 [1] - 131:6 1,500 [1] - 183:4 1,600 [1] - 55:15 1.2 [1] - 15:20 1.92 [1] - 8:2 10 [4] - 23:8, 63:8, 101:17, 117:12 10-inch [1] - 55:14 100-foot [1] - 58:5 1010 [1] - 120:5 10129 [1] - 15:12 10140 [1] - 67:22 10146 [1] - 78:24 10360 [1] - 19:3 10482 [1] - 143:17 11 [2] - 70:6, 101:17 11.99 [1] - 75:10 110 [2] - 69:1, 105:18 11557 [1] - 16:14 11:00 [1] - 162:20 12 [6] - 31:21, 46:10, 61:13, 101:25, 102:2, 117:1, 162:20, 165:14 124 [1] - 123:9 1293 [1] - 127:3 13 [1] - 101:8 1301 [5] - 32:25, 69:16, 69:21, 171:1, 200:2 13507 [1] - 26:25 14 [1] - 123:12 142 [1] - 131:17 15 [1] - 203:18 150 [3] - 68:6, 148:3, 182:20 1535 [1] - 132:13	3 [1] - 67:16 3,000 [1] - 83:15 30 [3] - 23:8, 25:14, 83:9, 134:22, 179:3,	4 [6] - 4:8, 46:16, 67:17, 81:15, 149:2, 204:2 4-COP [1] - 182:11 4.3 [1] - 38:4 4.3-acre [1] - 36:13 40 [1] - 123:10 400 [1] - 152:17 42 [1] - 107:9 46 [1] - 102:25	8 [5] - 4:21, 4:23, 5:1, 55:14, 77:2 8019 [1] - 40:13 8051 [1] - 50:9 8:15 [1] - 122:20	
	<b>5</b>	<b>5</b>	<b>9</b>	
		5 [5] - 4:10, 117:12, 131:23, 141:24, 149:14 5,000 [1] - 113:23 50 [6] - 15:16, 17:10, 17:11, 22:24, 131:10, 131:12, 173:17, 173:21	9 [4] - 112:13, 117:12, 122:18, 143:5 90 [4] - 84:11, 84:12, 121:1, 141:21 904 [2] - 107:7, 108:24 90s [1] - 57:22 9446 [1] - 74:11 96268 [1] - 11:8 970 [1] - 109:21	
			2021-374	



A				
<p>a.m [4] - 79:17, 81:4, 81:11, 81:14</p> <p>Abbey [2] - 8:10, 8:13</p> <p>ABBEY [3] - 8:23, 9:3, 10:12</p> <p>ABBY [1] - 8:16</p> <p>Abigail [1] - 28:20</p> <p>able [17] - 17:11, 27:5, 45:16, 52:14, 52:17, 55:9, 56:22, 59:25, 66:16, 75:16, 114:6, 141:23, 152:22, 167:17, 177:5, 200:16, 206:23</p> <p>absolutely [5] - 57:15, 77:21, 191:3, 197:9, 200:24</p> <p>abstains [1] - 10:4</p> <p>abut [3] - 112:17, 152:15, 153:15</p> <p>abuts [8] - 16:4, 38:18, 70:21, 84:11, 107:22, 107:24</p> <p>abutting [5] - 27:9, 50:1, 59:9, 105:19, 107:21</p> <p>accept [1] - 175:3</p> <p>acceptable [1] - 200:14</p> <p>access [7] - 70:8, 73:17, 106:12, 106:16, 108:17, 190:16, 194:19</p> <p>accessible [3] - 136:9, 178:6, 178:25</p> <p>accessing [1] - 120:25</p> <p>accessory [1] - 34:16</p> <p>accident [2] - 96:17, 99:13</p> <p>accidents [1] - 96:18</p> <p>accommodate [3] - 4:17, 108:11, 186:5</p> <p>accommodated [1] - 81:20</p> <p>accommodations [2] - 81:22, 187:7</p> <p>accomplish [1] - 158:15</p> <p>accordance [1] - 46:10</p> <p>according [1] - 45:19</p> <p>accurate [1] - 2:25</p> <p>acknowledge [1] - 5:11</p> <p>acquire [1] - 59:24</p> <p>acquired [1] - 63:6</p> <p>Acre [4] - 38:5, 49:18, 56:17, 59:11</p>	<p>acre [10] - 27:15, 27:20, 30:22, 49:21, 49:23, 50:14, 50:15, 50:24, 50:25, 59:12</p> <p>acreage [1] - 29:13</p> <p>acres [6] - 10:24, 15:20, 38:4, 49:18, 50:15, 61:5</p> <p>action [1] - 195:6</p> <p>active [1] - 134:21</p> <p>actively [1] - 136:8</p> <p>activities [8] - 94:21, 94:23, 95:23, 117:5, 123:7, 135:7</p> <p>activity [8] - 130:3, 135:25, 145:4, 155:12, 159:15, 181:23</p> <p>actual [1] - 141:11</p> <p>AD-21-05 [1] - 5:20</p> <p>add [8] - 10:19, 25:21, 73:15, 98:10, 99:6, 122:2, 166:23, 167:3</p> <p>added [2] - 98:25, 99:12</p> <p>adding [3] - 77:4, 98:25, 126:17</p> <p>addition [8] - 10:25, 52:5, 87:15, 99:7, 99:11, 107:19, 121:3, 148:19, 201:2</p> <p>additional [13] - 25:14, 26:19, 27:7, 52:10, 52:11, 66:18, 125:22, 175:3, 186:13, 186:15, 200:13, 200:24, 201:4</p> <p>additionally [8] - 61:12, 183:2, 190:14, 190:20, 201:15, 201:20</p> <p>address [50] - 4:20, 8:11, 11:6, 16:13, 19:2, 20:10, 22:3, 28:18, 40:5, 43:7, 51:13, 52:14, 54:9, 62:16, 69:14, 72:5, 72:9, 74:8, 78:22, 82:17, 86:17, 86:19, 89:1, 100:4, 103:24, 109:20, 111:19, 116:6, 119:15, 121:11, 123:22, 124:9, 125:11, 128:17, 132:12, 137:7, 140:9, 140:15, 141:11, 150:14, 150:19, 154:12, 156:14,</p>	<p>159:2, 161:5, 164:19, 166:7, 168:16, 173:15, 203:8</p> <p>addressed [3] - 4:15, 121:18, 175:21</p> <p>adjacent [3] - 34:17, 108:16, 195:11</p> <p>adjoining [1] - 18:1</p> <p>adjourned [1] - 208:11</p> <p>adjusting [1] - 121:9</p> <p>adjustment [3] - 7:15, 7:21</p> <p>administration [1] - 204:10</p> <p>administrative [2] - 3:17, 207:5</p> <p>administrator [2] - 104:19, 206:13</p> <p>adopted [1] - 206:7</p> <p>adult [1] - 123:16</p> <p>adults [1] - 168:6</p> <p>advantage [1] - 204:7</p> <p>adverse [2] - 125:16, 145:21</p> <p>aerial [1] - 47:21</p> <p>affect [1] - 186:23</p> <p>affidavit [1] - 87:16</p> <p>Affirm [1] - 11:18</p> <p>affirm [38] - 8:24, 11:14, 13:25, 16:21, 19:10, 20:18, 22:14, 29:2, 74:18, 79:5, 79:9, 83:2, 87:1, 89:11, 94:1, 97:21, 100:18, 104:8, 110:3, 112:2, 116:15, 119:21, 124:18, 127:10, 129:3, 132:20, 134:1, 137:24, 138:12, 140:20, 143:24, 147:5, 151:6, 154:22, 156:22, 161:13, 165:3, 166:17, 169:2</p> <p>affluent [1] - 139:8</p> <p>affordable [1] - 57:8</p> <p>afraid [1] - 111:5</p> <p>after-school [2] - 94:22, 117:5</p> <p>afternoon [10] - 81:15, 106:3, 108:1, 123:18, 127:1, 127:16, 131:1, 134:7, 150:13, 155:18</p> <p>afternoons [2] - 102:17, 155:15</p> <p>afterwards [4] - 39:24,</p>	<p>128:2, 163:6, 164:8</p> <p>age [2] - 117:1, 194:1</p> <p>agenda [4] - 4:13, 4:16, 58:16, 200:8</p> <p>agent [2] - 62:4, 62:9</p> <p>ages [3] - 85:9, 94:19, 95:22</p> <p>ago [4] - 75:1, 169:9, 174:16, 205:13</p> <p>agree [8] - 39:6, 48:5, 96:8, 99:16, 166:12, 187:21, 197:3, 198:7, 198:22</p> <p>agreeable [2] - 39:12, 45:12</p> <p>agreed [3] - 72:11, 72:20, 131:16</p> <p>agreement [1] - 179:9</p> <p>agricultural [1] - 27:8</p> <p>ahead [23] - 8:15, 11:20, 17:2, 19:16, 29:8, 40:17, 51:20, 54:13, 54:16, 69:20, 74:24, 79:11, 89:17, 94:6, 98:5, 108:14, 110:9, 116:21, 119:14, 120:2, 151:12, 164:18, 180:3</p> <p>aids [1] - 40:11</p> <p>Alan [2] - 18:24, 19:3</p> <p>Alberta [1] - 13:18</p> <p>alcohol [29] - 70:1, 79:22, 101:1, 105:16, 106:5, 106:9, 114:23, 122:23, 138:20, 138:22, 138:23, 142:13, 145:12, 145:13, 149:3, 149:23, 150:6, 173:6, 174:4, 175:10, 175:22, 182:25, 183:14, 186:21, 190:8, 190:11, 206:20, 206:24</p> <p>alcohol-serving [1] - 206:24</p> <p>alcoholic [3] - 63:11, 67:25, 107:16</p> <p>alcoholics [1] - 101:19</p> <p>Ale [5] - 75:19, 76:3, 102:12, 128:3, 130:18</p> <p>ALEX [1] - 1:15</p> <p>alive [1] - 185:6</p> <p>Allegiance [2] - 2:10, 2:12</p>	<p>Alliance [2] - 103:14, 134:21</p> <p>allow [15] - 7:11, 13:5, 15:14, 27:21, 39:2, 49:22, 63:16, 65:10, 75:21, 87:23, 88:7, 107:15, 126:18, 142:24, 201:13</p> <p>allowable [1] - 55:20</p> <p>allowed [4] - 7:24, 44:24, 61:10, 88:18</p> <p>allowing [13] - 37:5, 65:12, 65:15, 94:8, 108:15, 110:11, 114:23, 123:13, 127:18, 151:15, 174:7</p> <p>allows [3] - 39:16, 49:20, 175:3</p> <p>almost [8] - 148:14, 180:14, 186:3, 192:17, 192:19, 192:22</p> <p>alone [2] - 88:1, 113:6</p> <p>ALSO [1] - 1:17</p> <p>Alton [1] - 6:2</p> <p>alumni [1] - 177:11</p> <p>Amazon [1] - 34:25</p> <p>ambulances [1] - 160:16</p> <p>Amelia [1] - 57:18</p> <p>amelia [1] - 57:20</p> <p>amenable [1] - 200:5</p> <p>amend [2] - 48:15, 48:19</p> <p>amended [1] - 179:19</p> <p>amendment [10] - 31:6, 31:16, 36:20, 36:25, 37:2, 37:4, 37:6, 38:9, 38:10, 205:20</p> <p>amendments [3] - 3:23, 205:12, 206:18</p> <p>amenities [1] - 125:22</p> <p>amidst [1] - 206:3</p> <p>amount [6] - 7:12, 94:17, 121:21, 146:4, 153:3, 199:17</p> <p>amounts [2] - 157:7, 190:11</p> <p>ample [3] - 24:4, 142:19, 173:18</p> <p>ancillary [1] - 79:25</p> <p>Andrew [2] - 111:16, 111:20</p> <p>Angela [2] - 109:15, 109:21</p> <p>animals [2] - 54:19, 54:21</p> <p>answer [1] - 8:11</p>

11:21, 14:9, 33:20, 39:21, 50:21, 57:2, 73:23, 78:7, 176:11 answers [2] - 54:2, 57:4 anti [8] - 123:8, 123:10, 171:17, 197:8, 197:9 anti-Asian [1] - 123:10 anti-Semitic [2] - 197:8 anti-Semitism [3] - 123:8, 171:17, 197:9 antay [1] - 23:10 anyway [8] - 17:21, 40:13, 50:20, 146:14, 160:15, 183:13, 185:2, 185:3 anyways [1] - 193:2 apartments [1] - 7:18 apologies [3] - 124:4, 126:5, 177:3 apologize [1] - 187:10 appeal [2] - 75:16, 195:9 appeals [1] - 104:18 appearance [1] - 121:14 applaud [1] - 156:3 applicable [3] - 65:21, 65:22, 206:18 applicant [15] - 8:17, 46:21, 106:22, 122:25, 129:17, 134:10, 134:17, 193:11, 194:6, 194:7, 195:20, 196:3, 197:14, 201:14 applicant's [2] - 107:9, 108:20 application [37] - 4:12, 7:8, 8:5, 10:21, 12:24, 15:11, 20:25, 26:24, 38:3, 49:15, 49:24, 49:25, 50:13, 59:7, 61:4, 61:14, 64:10, 67:21, 73:2, 87:18, 87:23, 91:22, 102:10, 102:23, 105:8, 106:3, 108:14, 107:25, 109:5, 122:17, 136:22, 141:8, 147:13, 172:5, 176:3, 182:7, 190:5 applications [8] - 16:6, 51:5, 92:4, 171:25, 184:21, 190:22	applied [1] - 189:25 apply [2] - 29:12, 51:4 appointment [1] - 33:17 appreciate [15] - 5:24, 5:25, 18:14, 18:23, 23:18, 25:2, 48:10, 51:19, 55:22, 89:22, 97:5, 105:4, 110:11, 110:12, 200:4 approach [2] - 151:15, 152:2 approaches [52] - 8:9, 11:4, 13:17, 16:11, 19:1, 20:7, 21:25, 23:25, 28:17, 32:23, 37:16, 40:3, 42:16, 50:8, 51:11, 54:8, 55:6, 59:19, 62:13, 69:12, 74:7, 78:20, 82:16, 86:15, 89:2, 93:16, 97:13, 100:3, 103:22, 109:16, 111:17, 116:3, 119:11, 124:7, 126:25, 128:15, 132:9, 133:15, 137:2, 140:8, 143:15, 146:22, 150:12, 154:10, 156:12, 158:25, 161:4, 164:17, 166:6, 168:15, 176:21, 200:1 appropriate [7] - 24:25, 32:17, 38:12, 38:14, 61:21, 111:6, 114:12 approval [58] - 5:1, 5:5, 8:7, 9:16, 10:1, 12:8, 12:12, 14:8, 14:21, 14:25, 24:20, 25:18, 26:7, 30:1, 30:6, 31:18, 32:3, 34:7, 35:13, 35:23, 36:2, 37:14, 38:10, 38:20, 43:25, 44:4, 44:15, 48:24, 49:4, 56:9, 56:12, 56:20, 58:23, 59:16, 60:16, 60:20, 61:23, 64:25, 67:7, 105:13, 105:14, 105:21, 105:24, 107:13, 108:1, 121:11, 172:4, 172:6, 179:18, 179:24, 204:12, 204:21, 204:25, 207:12, 207:15, 207:19	approve [28] - 4:23, 9:13, 11:2, 12:5, 13:4, 13:14, 14:18, 16:1, 24:17, 27:17, 29:22, 32:20, 34:4, 35:20, 43:22, 44:11, 48:19, 50:5, 60:13, 64:20, 68:20, 69:8, 131:19, 191:4, 196:5, 204:18 approved [8] - 17:5, 25:19, 68:10, 70:19, 84:10, 91:22, 118:18, 172:11, 184:20 approving [2] - 189:24, 193:22 April [8] - 1:6, 2:1, 2:4, 4:21, 4:23, 5:1, 62:5, 209:15 architect [2] - 72:24, 144:7 area [72] - 24:4, 25:12, 27:8, 31:25, 39:15, 41:2, 41:19, 41:22, 41:23, 48:14, 55:12, 58:24, 57:9, 58:6, 61:22, 61:25, 64:2, 68:2, 70:12, 70:13, 70:16, 70:20, 71:4, 73:14, 76:8, 77:6, 77:25, 81:6, 94:10, 94:11, 94:14, 94:15, 94:18, 94:25, 95:11, 95:12, 95:18, 96:2, 96:10, 97:2, 97:3, 99:1, 99:8, 107:21, 110:22, 111:3, 112:11, 114:22, 117:6, 117:13, 125:2, 125:21, 125:24, 125:25, 126:12, 126:13, 126:14, 126:19, 128:4, 131:5, 135:14, 139:14, 141:15, 141:17, 141:19, 145:4, 148:9, 160:13, 162:5, 192:15 areas [8] - 31:16, 37:7, 63:21, 141:13, 142:25, 165:21, 205:25 arguably [1] - 19:20 Argyle [1] - 38:21 Arrowhead [1] - 19:4 Aryeh [2] - 168:13, 168:18 Asian [1] - 123:10	Asians [1] - 90:21 aside [1] - 136:25 aspect [1] - 62:3 aspects [1] - 171:23 assembly [1] - 93:4 assert [1] - 106:1 Association [1] - 41:23 assumes [1] - 69:11 Assumption [1] - 139:11 assure [2] - 171:15, 171:16 athletic [1] - 135:22 Atlantic [1] - 5:17 attached [3] - 31:20, 120:17, 131:22 attempt [1] - 120:20 attempting [1] - 122:2 attend [2] - 52:1, 88:15 attends [1] - 171:10 attention [2] - 129:19, 169:25 attorneys [1] - 199:15 audible [1] - 2:7 Audience [41] - 8:9, 11:4, 16:11, 19:1, 20:7, 21:25, 28:17, 37:16, 40:3, 51:11, 54:8, 74:7, 78:20, 82:16, 86:15, 89:2, 93:16, 97:13, 100:3, 103:22, 109:16, 111:17, 116:3, 119:11, 124:7, 126:25, 128:15, 132:9, 133:15, 137:2, 140:8, 143:15, 146:22, 150:12, 154:10, 156:12, 158:25, 161:4, 164:17, 166:6, 168:15 audience [2] - 16:3, 188:12 AUDIENCE [78] - 6:10, 7:2, 8:12, 9:8, 11:7, 11:25, 14:13, 16:14, 19:3, 20:3, 20:9, 20:11, 21:20, 21:24, 22:1, 22:4, 23:21, 24:13, 26:18, 28:20, 29:17, 33:24, 37:18, 43:17, 51:14, 54:11, 55:2, 56:4, 60:8, 64:15, 74:10, 78:23, 82:10, 82:19, 86:18, 88:24, 89:3, 93:18, 97:14, 100:1, 100:6,	103:25, 109:17, 109:21, 111:14, 111:20, 116:1, 116:7, 119:12, 119:16, 124:10, 127:1, 128:19, 132:10, 133:16, 133:18, 136:20, 137:3, 137:8, 137:10, 140:11, 143:16, 146:23, 150:13, 150:16, 150:18, 154:7, 154:13, 154:17, 156:13, 159:3, 161:6, 164:20, 166:9, 168:18, 170:23, 183:8, 186:8 Augustine [3] - 103:2, 103:11, 137:11 authorized [4] - 175:1, 175:5, 177:14, 209:8 automobiles [1] - 98:18 available [1] - 182:13 Avenue [8] - 6:3, 6:14, 12:22, 12:25, 30:21, 127:3, 133:19, 153:17 awarded [1] - 107:6 aware [3] - 111:4, 120:18, 120:24 Aye [17] - 5:7, 10:3, 12:14, 15:2, 26:9, 30:8, 35:15, 38:4, 44:6, 49:6, 58:25, 60:22, 67:9, 202:1, 202:17, 205:2, 207:21
<b>B</b>				
B-r-o-n-o-w-l-i-z [1] - 154:17 baby [1] - 181:7 back-and-forth [1] - 160:6 backed [1] - 23:9 backyard [1] - 105:6 bad [8] - 23:3, 27:2, 90:25, 144:11, 144:18, 191:9 Bailey's [2] - 84:4, 84:16 Baileys [1] - 83:23 Bakari [3] - 136:19, 136:22, 153:25 bakery [1] - 186:25 Bakkar [3] - 146:21, 146:23, 172:25				

<p><b>BAKKAR</b> [3] - 147:4, 147:9, 147:11</p> <p><b>balance</b> [1] - 152:20</p> <p><b>bailed</b> [1] - 144:24</p> <p><b>ball</b> [1] - 130:21</p> <p><b>Ball</b> [1] - 1:7</p> <p><b>Bamboo</b> [17] - 68:10, 69:6, 70:21, 70:25, 76:10, 79:24, 84:19, 84:20, 108:4, 108:8, 112:13, 112:16, 112:20, 112:21, 114:14, 149:18</p> <p><b>bar</b> [88] - 76:11, 79:17, 80:19, 81:2, 81:11, 82:21, 87:23, 88:4, 88:8, 88:11, 88:18, 102:12, 102:14, 106:18, 106:21, 107:5, 107:20, 108:15, 108:22, 108:24, 110:20, 111:5, 112:16, 112:18, 112:20, 113:17, 114:2, 117:10, 117:11, 120:20, 121:7, 121:12, 122:4, 122:17, 123:1, 123:2, 123:3, 123:8, 123:24, 129:18, 130:1, 138:20, 145:11, 146:8, 152:10, 153:7, 153:14, 155:17, 155:18, 157:8, 157:14, 158:2, 159:24, 160:10, 162:1, 162:11, 162:22, 165:18, 166:24, 166:25, 182:3, 182:4, 183:8, 183:8, 183:23, 183:24, 185:17</p> <p><b>bar's</b> [1] - 122:22</p> <p><b>bar/restaurant</b> [3] - 85:3, 85:14, 135:10</p> <p><b>barely</b> [1] - 195:17</p> <p><b>Barking</b> [2] - 70:25, 161:22</p> <p><b>Barley</b> [8] - 102:13, 113:21, 113:22, 114:1, 114:9, 122:6, 139:16, 139:19</p> <p><b>Barrel</b> [3] - 138:21, 190:8, 190:9</p> <p><b>Barrels</b> [1] - 190:16</p> <p><b>barrier</b> [3] - 131:24, 142:5, 149:11</p> <p><b>bars</b> [3] - 85:20,</p>	<p>112:24, 112:25</p> <p><b>base</b> [1] - 65:20</p> <p><b>baseball</b> [1] - 138:16</p> <p><b>based</b> [2] - 47:21, 108:20</p> <p><b>basic</b> [1] - 105:9</p> <p><b>basis</b> [2] - 53:25, 108:21</p> <p><b>basket</b> [1] - 3:4</p> <p><b>basketball</b> [12] - 76:2, 76:18, 81:18, 113:10, 130:21, 131:13, 132:1, 135:6, 135:7, 135:24, 136:5, 195:18</p> <p><b>bass</b> [1] - 199:5</p> <p><b>Baymeadows</b> [4] - 5:21, 113:21, 113:24, 122:6</p> <p><b>Beach</b> [10] - 8:13, 106:19, 107:3, 109:9, 123:3, 124:12, 146:24, 150:25, 184:14, 188:13</p> <p><b>beach</b> [2] - 124:25, 163:3</p> <p><b>Beaches</b> [1] - 130:1</p> <p><b>bear</b> [1] - 194:25</p> <p><b>beast</b> [1] - 160:19</p> <p><b>beautiful</b> [1] - 160:9</p> <p><b>Beaver</b> [2] - 30:19, 31:8</p> <p><b>become</b> [1] - 3:12</p> <p><b>becomes</b> [1] - 174:11</p> <p><b>bedroom</b> [3] - 7:18, 7:19, 7:20</p> <p><b>bedtime</b> [1] - 121:6</p> <p><b>beer</b> [8] - 81:19, 84:2, 95:10, 118:10, 173:9, 173:13, 174:7, 190:13, 191:17</p> <p><b>began</b> [2] - 77:22, 91:16</p> <p><b>begin</b> [2] - 122:19, 144:6</p> <p><b>beginning</b> [1] - 162:7</p> <p><b>begins</b> [1] - 42:22</p> <p><b>behalf</b> [4] - 8:16, 134:11, 138:7, 163:1</p> <p><b>behavioral</b> [1] - 33:17</p> <p><b>behind</b> [10] - 62:2, 69:4, 80:6, 95:4, 109:3, 149:8, 149:9, 149:21, 159:12</p> <p><b>believes</b> [1] - 71:24</p> <p><b>belong</b> [1] - 155:12</p> <p><b>below</b> [1] - 73:16</p>	<p><b>Belvedere</b> [1] - 127:3</p> <p><b>bench</b> [1] - 64:2</p> <p><b>benefit</b> [3] - 76:19, 128:11, 144:14</p> <p><b>Bernice</b> [5] - 23:5, 93:19, 94:11, 164:21, 166:10</p> <p><b>best</b> [5] - 67:20, 119:6, 136:10, 146:14, 197:12</p> <p><b>Beth</b> [2] - 161:3, 161:6</p> <p><b>better</b> [8] - 92:1, 95:11, 136:6, 137:8, 137:16, 186:6</p> <p><b>between</b> [11] - 10:16, 19:21, 31:7, 31:15, 75:11, 82:4, 123:9, 123:11, 153:21, 160:22, 170:9</p> <p><b>beverage</b> [2] - 107:16, 149:3</p> <p><b>beverages</b> [4] - 63:11, 67:25, 107:17, 182:19</p> <p><b>Beyer</b> [2] - 161:3, 161:6</p> <p><b>BEYER</b> [3] - 161:12, 161:17, 161:19</p> <p><b>bicycle</b> [1] - 160:17</p> <p><b>Big</b> [2] - 25:11, 192:11</p> <p><b>big</b> [12] - 41:18, 41:25, 57:8, 79:14, 79:15, 85:15, 142:20, 172:7, 178:13, 178:18, 179:1, 196:10</p> <p><b>bigger</b> [2] - 183:24</p> <p><b>biggest</b> [2] - 79:16, 157:18</p> <p><b>bigotry</b> [1] - 180:10</p> <p><b>bikes</b> [1] - 123:15</p> <p><b>bill</b> [3] - 33:8, 37:21, 204:9</p> <p><b>bird</b> [1] - 198:13</p> <p><b>Bishop</b> [1] - 139:11</p> <p><b>bit</b> [8] - 48:12, 104:21, 122:11, 137:13, 180:13, 182:5, 189:6, 191:6, 196:15</p> <p><b>black</b> [2] - 101:16, 101:21</p> <p><b>blacks</b> [1] - 101:12</p> <p><b>Blanchard</b> [15] - 2:15, 10:9, 34:9, 35:9, 44:17, 45:8, 46:2, 46:25, 57:11, 58:19, 180:4, 187:13, 187:22, 192:20, 197:3</p> <p><b>BLANCHARD</b> [20] -</p>	<p>1:14, 34:10, 44:18, 45:10, 46:3, 46:8, 46:13, 46:16, 46:19, 46:23, 57:12, 57:16, 57:20, 57:25, 58:13, 180:5, 183:1, 183:5, 183:10, 186:12</p> <p><b>blighted</b> [1] - 144:10</p> <p><b>block</b> [7] - 30:19, 121:20, 121:21, 146:5, 146:15, 167:21, 205:17</p> <p><b>blocking</b> [1] - 23:11</p> <p><b>blocks</b> [3] - 90:3, 141:5, 166:11</p> <p><b>Blue</b> [17] - 68:10, 69:6, 70:21, 70:25, 76:10, 79:24, 84:19, 106:4, 106:8, 112:13, 112:16, 112:19, 112:20, 114:14, 149:18</p> <p><b>blue</b> [8] - 3:3, 21:22, 23:17, 154:6, 156:9, 156:11, 158:23, 164:14</p> <p><b>Bluff</b> [1] - 53:15</p> <p><b>board</b> [4] - 10:22, 176:24, 193:13, 195:6</p> <p><b>boards</b> [1] - 104:17</p> <p><b>boat</b> [1] - 103:12</p> <p><b>Bobby</b> [5] - 18:16, 18:17, 150:11, 150:16, 159:7</p> <p><b>book</b> [1] - 62:7</p> <p><b>born</b> [2] - 110:17, 188:8</p> <p><b>Boston</b> [1] - 193:2</p> <p><b>bother</b> [1] - 84:20</p> <p><b>bothered</b> [1] - 180:18</p> <p><b>bottle</b> [1] - 118:9</p> <p><b>bottles</b> [1] - 84:2</p> <p><b>bottom</b> [4] - 46:15, 118:19, 129:25, 184:11</p> <p><b>bought</b> [1] - 59:20</p> <p><b>Boulevard</b> [35] - 5:17, 6:15, 15:13, 16:5, 33:1, 61:18, 67:17, 67:22, 68:18, 69:17, 69:22, 94:16, 96:22, 106:19, 107:3, 120:11, 121:24, 123:3, 123:22, 149:8, 149:11, 157:5, 157:13, 159:19, 163:15, 163:17, 169:21, 169:24, 171:2,</p>	<p>181:17, 184:14, 188:13, 194:10, 196:17, 200:3</p> <p><b>Bowl</b> [1] - 113:18</p> <p><b>Boylan</b> [1] - 5:12</p> <p><b>boys</b> [1] - 167:8</p> <p><b>Boys</b> [1] - 76:19</p> <p><b>Braemar</b> [3] - 82:20, 89:4, 168:19</p> <p><b>Branch</b> [2] - 41:6, 181:1</p> <p><b>break</b> [4] - 76:17, 109:11, 111:13, 115:20</p> <p><b>brod</b> [1] - 188:8</p> <p><b>Brian</b> [4] - 133:14, 133:18, 134:8, 171:11</p> <p><b>Briar</b> [1] - 11:8</p> <p><b>Bridgescreek</b> [1] - 42:3</p> <p><b>brief</b> [5] - 2:10, 77:17, 98:8, 115:22, 203:3</p> <p><b>briefly</b> [2] - 19:17, 169:8</p> <p><b>brighten</b> [1] - 145:24</p> <p><b>bring</b> [20] - 9:10, 12:2, 14:15, 24:15, 29:19, 34:1, 43:19, 55:9, 55:10, 55:12, 55:13, 56:6, 60:10, 64:17, 75:25, 78:8, 167:24, 179:15, 204:15, 207:10</p> <p><b>bringing</b> [1] - 130:17</p> <p><b>brings</b> [1] - 41:18</p> <p><b>broad</b> [2] - 36:22, 123:20</p> <p><b>Broadway</b> [1] - 30:20</p> <p><b>broken</b> [1] - 84:3</p> <p><b>Bronowitz</b> [1] - 154:14</p> <p><b>BRONOWITZ</b> [3] - 154:21, 155:1, 155:3</p> <p><b>Brooklyn</b> [3] - 169:10, 169:19, 169:20</p> <p><b>brought</b> [2] - 118:20, 118:21</p> <p><b>Broward</b> [1] - 6:4</p> <p><b>BROWN</b> [7] - 1:14, 25:9, 26:1, 47:18, 65:4, 66:4, 192:9</p> <p><b>Brown</b> [12] - 2:16, 10:8, 25:8, 26:3, 47:17, 65:3, 66:9, 192:8, 196:23, 198:3, 198:8, 198:23</p> <p><b>Bruce</b> [6] - 8:8, 30:16, 38:1, 38:23, 39:1, 62:12</p> <p><b>BRUCE</b> [1] - 1:19</p> <p><b>buddy</b> [1] - 197:4</p>
--	---	--	--	---

<b>Buffalo</b> [1] - 178:24 <b>buffer</b> [4] - 38:17, 189:21, 196:13, 196:15 <b>buffers</b> [1] - 63:22 <b>buggles</b> [2] - 194:3, 194:20 <b>build</b> [5] - 45:24, 45:25, 55:19, 66:13, 76:13 <b>building</b> [30] - 25:18, 25:22, 33:14, 33:16, 33:18, 63:13, 63:19, 65:7, 68:24, 70:24, 71:15, 91:4, 106:20, 108:25, 120:10, 144:10, 144:18, 145:24, 146:17, 153:5, 159:12, 160:4, 162:8, 178:5, 178:15, 178:16, 189:20, 196:9, 196:12, 206:3 <b>Building</b> [1] - 1:7 <b>buildings</b> [5] - 25:20, 76:6, 76:9, 91:9, 158:19 <b>built</b> [4] - 41:3, 53:14, 152:8, 208:6 <b>bulk</b> [1] - 194:1 <b>bunch</b> [1] - 101:18 <b>bus</b> [2] - 62:8, 64:2 <b>busiest</b> [1] - 181:17 <b>business</b> [17] - 61:13, 63:10, 71:18, 114:3, 114:4, 114:7, 114:11, 115:7, 117:17, 122:8, 126:2, 140:1, 144:21, 158:16, 171:18, 208:3, 208:5 <b>businesses</b> [1] - 149:17 <b>busy</b> [2] - 192:23, 200:9 <b>butt</b> [1] - 53:20 <b>button</b> [1] - 185:24 <b>buy</b> [3] - 52:21, 152:7, 181:9 <b>bylaws</b> [1] - 2:22	54:20 <b>cap</b> [1] - 169:24 <b>capable</b> [1] - 63:10 <b>capacity</b> [2] - 53:2, 53:11 <b>car</b> [8] - 61:8, 63:7, 86:6, 91:6, 120:12, 145:19, 163:11, 169:14, 199:3 <b>card</b> [11] - 3:3, 21:22, 23:17, 154:4, 154:6, 155:5, 156:9, 156:11, 158:23, 164:6, 164:14 <b>cards</b> [3] - 3:5, 62:23, 78:14 <b>care</b> [4] - 23:23, 29:11, 160:3, 195:25 <b>career</b> [1] - 151:19 <b>careful</b> [1] - 200:4 <b>cares</b> [2] - 188:22, 198:10 <b>carpooling</b> [1] - 139:23 <b>Carrabba's</b> [1] - 149:19 <b>carriage</b> [1] - 181:7 <b>cars</b> [8] - 83:16, 96:20, 129:24, 159:13, 160:17, 169:20, 199:6, 199:8 <b>case</b> [8] - 19:23, 28:6, 34:21, 35:1, 68:14, 75:10, 101:9, 105:17, 142:12 <b>category</b> [3] - 31:14, 31:15, 61:16 <b>catering</b> [1] - 133:6 <b>causes</b> [1] - 153:2 <b>CCG</b> [1] - 194:9 <b>CCG-1</b> [23] - 13:2, 13:7, 13:10, 65:15, 68:15, 70:14, 71:3, 71:10, 72:4, 144:16, 172:9, 172:10, 172:12, 172:16, 172:23, 173:5, 173:8, 174:6, 174:8, 175:10, 178:5, 178:15, 199:10 <b>cell</b> [1] - 98:16 <b>Center</b> [4] - 38:23, 134:25, 177:5, 177:10 <b>center</b> [5] - 38:6, 39:3, 45:23, 114:11, 149:10 <b>centers</b> [4] - 113:3, 113:5, 147:16, 157:6 <b>centric</b> [1] - 25:12	<b>certain</b> [8] - 34:23, 61:7, 71:10, 95:17, 106:7, 169:20, 170:2, 182:21, 206:14 <b>certainly</b> [15] - 58:6, 97:2, 99:4, 99:20, 107:21, 125:20, 152:9, 171:14, 171:20, 180:22, 181:21, 187:13, 192:16, 193:9, 199:20 <b>CERTIFICATE</b> [1] - 209:1 <b>certify</b> [1] - 209:8 <b>Cezanne</b> [1] - 28:21 <b>CGC</b> [1] - 61:16 <b>Chabad</b> [7] - 17:3, 19:19, 91:4, 105:19, 114:19, 143:1, 155:13 <b>Chal</b> [1] - 166:9 <b>CHAI</b> [1] - 166:10 <b>chain</b> [1] - 179:1 <b>Chair</b> [14] - 24:24, 25:10, 34:11, 44:20, 46:3, 65:5, 65:9, 68:8, 66:12, 69:11, 69:19, 182:1, 182:9, 192:10 <b>chair</b> [1] - 56:15 <b>chairman</b> [1] - 5:13 <b>CHAIRMAN</b> [349] - 2:3, 2:13, 4:25, 5:4, 5:8, 5:10, 6:11, 7:3, 8:8, 8:10, 8:14, 8:19, 9:6, 9:9, 9:15, 9:19, 9:25, 10:5, 10:7, 10:13, 11:3, 11:5, 11:9, 11:20, 11:22, 12:1, 12:7, 12:11, 12:15, 12:17, 12:19, 13:15, 13:20, 14:10, 14:14, 14:20, 14:24, 15:3, 15:5, 15:7, 16:9, 16:12, 16:16, 17:2, 18:9, 18:15, 18:20, 19:2, 19:5, 19:16, 19:24, 20:5, 20:8, 20:10, 20:13, 21:12, 21:21, 22:2, 22:6, 22:9, 23:14, 23:16, 23:22, 24:10, 24:14, 24:19, 25:7, 26:2, 26:6, 26:10, 26:12, 26:15, 26:21, 28:15, 28:18, 28:22, 29:8, 29:14, 29:18, 29:25, 30:5, 30:9, 30:11, 30:13, 32:4, 32:21, 32:24, 33:21, 33:25, 34:6, 35:8, 35:12, 35:16, 35:18, 35:22, 36:1, 36:5, 36:7, 36:10, 37:15, 37:17, 37:22, 37:25, 38:23, 39:22, 40:1, 40:4, 40:9, 40:16, 42:8, 42:12, 42:15, 42:18, 43:13, 43:15, 43:18, 43:24, 44:3, 44:7, 44:9, 44:14, 45:8, 45:11, 45:14, 46:1, 46:25, 48:7, 48:17, 48:23, 49:3, 49:7, 49:9, 49:12, 50:6, 50:11, 51:7, 51:12, 51:18, 54:4, 54:6, 54:9, 54:13, 54:16, 54:24, 55:3, 55:23, 55:25, 56:5, 56:11, 57:10, 58:18, 58:22, 59:1, 59:3, 59:17, 60:3, 60:5, 60:9, 60:15, 60:19, 60:23, 60:25, 62:12, 62:14, 62:18, 62:23, 64:11, 64:13, 64:16, 64:24, 65:24, 66:5, 67:3, 67:6, 67:10, 67:12, 67:15, 67:19, 69:20, 74:4, 74:8, 74:13, 74:24, 77:11, 77:15, 77:19, 78:11, 78:19, 78:21, 78:25, 79:11, 82:6, 82:12, 82:17, 82:22, 86:11, 86:16, 86:21, 87:7, 88:21, 88:25, 89:6, 89:17, 89:21, 92:5, 92:9, 92:13, 92:15, 93:15, 93:17, 93:21, 94:6, 97:7, 97:10, 97:16, 98:2, 99:23, 100:4, 100:8, 100:11, 100:14, 103:18, 103:20, 103:23, 104:3, 104:20, 109:7, 109:14, 109:19, 109:23, 110:9, 111:11, 111:15, 111:18, 111:22, 115:17, 115:19, 115:23, 116:2, 116:4, 116:10, 116:21, 119:3, 119:14, 120:2, 122:10, 124:2, 124:5, 124:8, 124:13, 126:21, 127:5, 128:13, 128:16, 128:22, 129:10, 132:3, 132:5, 132:11, 132:15, 133:13, 133:17, 133:21, 135:17, 136:12, 136:17, 136:21, 136:24, 137:5, 137:9, 137:12, 137:17, 137:20, 140:5, 140:9, 140:13, 143:13, 143:19, 146:19, 146:25, 150:8, 150:14, 150:19, 150:23, 151:1, 151:12, 153:24, 154:2, 154:9, 154:11, 154:15, 154:18, 156:7, 156:13, 156:17, 158:20, 159:1, 161:1, 161:5, 161:8, 164:1, 164:11, 164:18, 164:23, 166:3, 166:7, 166:13, 168:11, 168:16, 168:20, 170:20, 170:24, 176:14, 176:22, 177:1, 179:12, 179:23, 186:9, 187:12, 189:10, 190:2, 192:6, 196:23, 197:1, 201:6, 201:11, 201:18, 201:23, 202:2, 202:4, 202:9, 202:14, 202:18, 202:20, 203:4, 204:13, 204:20, 204:24, 205:3, 205:5, 207:7, 207:14, 207:18, 207:22, 207:24, 208:2, 208:5, 208:8 <b>Chairman</b> [45] - 1:13, 4:22, 7:7, 9:12, 10:4, 10:14, 12:4, 12:23, 14:17, 15:10, 17:3, 24:1, 24:16, 26:23, 29:21, 34:3, 34:10, 35:19, 43:21, 44:10, 44:19, 49:14, 50:12, 56:8, 57:12, 59:20, 60:12, 61:3, 62:15, 64:19, 69:19, 93:7, 171:3, 179:17, 180:5, 187:10, 187:14, 187:14
---	--	--

**C**

**Candy** [1] - 33:3  
**cannabis** [1] - 148:1  
**CANNING** [3] -  
 143:23, 144:3, 144:5  
**Canning** [4] - 18:25,  
 20:2, 143:14, 143:17  
**cannot** [3] - 40:24,

<p>190:1, 192:5, 201:8, 202:5, 204:17, 205:8, 207:11 Chambers [1] - 4:9 chance [4] - 18:12, 51:9, 78:16, 92:1 Chang [2] - 75:5, 76:5 change [6] - 7:14, 31:19, 73:17, 121:4, 166:25, 173:5 Chapter [2] - 203:24, 204:7 character [6] - 21:1, 27:16, 105:10, 109:6, 141:17, 144:22 charged [1] - 92:20 charm [1] - 109:6 Cheers [1] - 198:19 Cherokee [1] - 8:13 chest [3] - 180:8, 180:20, 180:24 Chick [1] - 194:17 Chick-fil-A [1] - 194:17 chicken [2] - 75:9, 192:25 Chief [3] - 1:18, 1:19, 30:17 child [1] - 135:5 children [26] - 15:16, 80:8, 81:14, 81:25, 82:1, 83:10, 85:8, 86:1, 91:13, 95:13, 99:2, 100:25, 101:3, 102:1, 102:3, 107:1, 111:1, 111:4, 130:2, 138:14, 157:18, 162:22, 168:6, 168:7, 194:3 choice [1] - 147:20 choose [1] - 147:25 chosen [1] - 90:10 Christalyn [1] - 51:14 Christian [1] - 51:10 church [15] - 10:19, 68:24, 72:8, 91:5, 95:13, 105:16, 107:22, 107:24, 108:16, 114:20, 114:24, 149:6, 195:16 circle [1] - 135:21 Circle [1] - 5:21 circumstances [1] - 172:15 cites [1] - 70:18 City [10] - 3:25, 4:9, 21:7, 32:12, 47:13, 79:20, 87:17, 141:7,</p>	<p>187:8, 206:1 city [6] - 75:2, 75:3, 91:23, 121:22, 128:8, 181:18 CITY [1] - 1:1 City's [2] - 2:20, 39:18 civil [1] - 141:2 claims [1] - 129:17 Clapboard [1] - 57:23 clarification [1] - 44:21 Clay [1] - 109:21 clear [3] - 45:17, 92:24, 203:21 cleared [1] - 47:21 clearing [4] - 44:22, 44:23, 45:21, 47:3 Clearly [1] - 193:15 clearly [4] - 3:9, 123:2, 173:16, 188:22 client [2] - 144:7, 144:23 climate [1] - 133:6 clinic [1] - 32:12 close [27] - 9:9, 12:1, 14:15, 24:14, 29:18, 33:25, 40:10, 43:18, 55:3, 56:5, 60:9, 64:16, 82:11, 88:7, 102:5, 113:8, 114:23, 122:18, 122:20, 152:12, 170:16, 179:14, 184:5, 184:10, 190:18, 204:15, 207:9 closed [7] - 70:5, 70:6, 102:18, 112:13, 112:17, 142:16, 191:8 closer [6] - 89:22, 102:21, 128:23, 137:6, 137:14, 137:18, 153:14, 168:21, 193:21 closest [1] - 68:24 closing [3] - 77:4, 131:23, 143:5 clothing [1] - 90:10 club [1] - 153:16 Clubs [1] - 76:20 coaches [1] - 128:1 coaching [2] - 135:20, 135:21 Code [10] - 7:16, 80:22, 120:19, 148:21, 150:5, 173:7, 174:7, 192:18, 198:21, 205:10</p>	<p>code [4] - 172:2, 173:24, 203:22, 204:1 cognitive [1] - 111:2 cohesiveness [1] - 160:22 coincidence [2] - 16:5, 113:4 COJ [2] - 33:7, 108:10 colleagues [1] - 151:17 college [4] - 113:18, 125:1, 155:19, 155:20 Collins [12] - 5:20, 36:15, 38:8, 39:5, 39:8, 39:17, 40:20, 40:21, 41:14, 41:15, 41:21, 42:23 colors [1] - 94:19 combo [1] - 184:15 comfort [1] - 121:13 comfortable [5] - 47:14, 47:25, 69:6, 88:10, 189:24 coming [17] - 23:4, 25:3, 42:5, 46:5, 55:9, 86:9, 93:8, 96:14, 102:1, 118:3, 155:5, 162:10, 168:8, 174:22, 175:18, 184:6, 184:7 commencing [1] - 1:7 commensurate [2] - 147:19, 150:2 comment [6] - 24:24, 79:18, 98:11, 180:20, 181:14, 186:9 comments [12] - 58:2, 125:9, 126:9, 180:6, 180:9, 180:22, 182:2, 185:10, 187:4, 187:9, 187:11, 200:5 Commercial [6] - 31:8, 32:8, 32:17, 36:17, 37:4, 205:20 commercial [27] - 17:16, 31:13, 31:15, 34:23, 35:5, 36:18, 36:24, 37:5, 37:7, 37:10, 38:6, 39:10, 45:17, 61:10, 68:16, 69:7, 73:7, 147:15, 149:25, 158:18, 159:20, 181:16, 181:17, 181:23, 183:18, 206:3, 206:9 COMMISSION [54] -</p>	<p>1:2, 5:3, 5:7, 5:9, 9:18, 9:24, 10:3, 10:6, 12:10, 12:14, 12:16, 14:23, 15:2, 15:4, 26:5, 26:9, 28:11, 30:4, 30:8, 30:10, 35:11, 35:15, 35:17, 35:25, 36:4, 36:6, 44:2, 44:6, 44:8, 49:2, 49:6, 49:8, 58:21, 58:25, 59:2, 60:18, 60:22, 60:24, 67:5, 67:9, 67:11, 188:25, 201:22, 202:1, 202:3, 202:13, 202:17, 202:19, 204:23, 205:2, 205:4, 207:17, 207:21, 207:23 commission [6] - 2:24, 3:14, 3:22, 119:6, 175:20, 175:25, 176:5, 205:11 Commission [64] - 1:14, 1:14, 1:15, 1:15, 2:5, 3:21, 4:3, 4:5, 4:20, 5:2, 9:11, 9:17, 9:23, 12:3, 12:9, 13:3, 14:16, 14:22, 16:7, 19:18, 19:23, 24:15, 24:21, 26:4, 29:20, 30:3, 34:2, 34:8, 35:10, 35:24, 43:20, 44:1, 47:24, 49:1, 50:13, 56:7, 56:13, 58:20, 60:11, 60:17, 64:18, 65:2, 67:4, 68:9, 71:6, 87:17, 88:18, 92:25, 93:10, 93:13, 103:25, 125:13, 125:15, 171:3, 179:16, 187:16, 189:2, 189:24, 201:21, 202:12, 204:16, 204:22, 207:10, 207:16 commission's [1] - 2:22 COMMISSIONER [74] - 4:22, 4:24, 9:12, 9:14, 12:4, 12:6, 14:17, 14:19, 24:16, 24:18, 24:23, 25:9, 26:1, 29:21, 29:24, 34:3, 34:5, 34:10, 35:19, 35:21, 43:21, 43:23, 44:10, 44:13, 44:18, 45:10, 46:3,</p>	<p>46:8, 46:13, 46:16, 46:19, 46:23, 47:18, 48:10, 48:18, 48:22, 56:8, 56:10, 56:15, 57:12, 57:16, 57:20, 57:25, 58:13, 60:12, 60:14, 64:19, 64:23, 65:4, 66:4, 66:7, 66:20, 66:23, 67:2, 179:17, 179:21, 180:5, 183:1, 183:5, 183:10, 186:12, 187:18, 189:13, 190:4, 192:9, 201:8, 201:10, 201:17, 202:5, 202:8, 204:17, 204:19, 207:11, 207:13 Commissioner [37] - 24:22, 25:8, 26:2, 27:2, 34:9, 35:8, 44:17, 45:8, 46:2, 48:25, 47:17, 48:9, 56:14, 57:10, 57:11, 58:2, 58:18, 65:3, 66:5, 66:9, 180:4, 187:12, 187:17, 187:21, 189:10, 190:2, 190:3, 192:6, 192:8, 192:20, 193:18, 186:23, 197:3, 198:3, 198:8, 198:23, 201:13 commissioner [1] - 189:11 Commissioners [3] - 2:15, 10:8, 14:6 commissioners [6] - 20:24, 89:18, 109:18, 110:11, 127:18, 129:9, 189:9, 192:3 commissions [2] - 104:17, 104:18 Committee [3] - 4:1, 4:6, 206:11 committee [2] - 5:14, 53:18 common [4] - 90:5, 113:1, 185:5, 188:2 communal [1] - 19:22 communicate [4] - 98:22, 177:5, 200:25, 201:1 communities [3] - 48:14, 127:23, 146:2 Community [7] - 1:19, 33:2, 33:4, 33:13, 45:20, 103:13, 134:21 2021-374</p>
---	---	--	--	---

<p><b>community</b> [70] - 19:21, 21:2, 25:4, 37:11, 57:17, 69:3, 76:14, 77:6, 80:17, 95:1, 95:3, 95:7, 96:5, 101:16, 104:15, 105:1, 105:4, 110:25, 111:9, 120:15, 123:21, 127:20, 128:10, 133:10, 134:11, 134:12, 135:8, 135:11, 135:13, 136:8, 136:9, 139:5, 139:13, 140:4, 142:9, 148:13, 148:19, 151:23, 152:19, 152:21, 158:16, 159:25, 160:23, 163:19, 163:20, 169:13, 176:25, 177:12, 178:11, 178:18, 180:25, 181:3, 183:16, 184:13, 185:14, 188:5, 186:23, 188:17, 188:23, 190:7, 190:23, 191:3, 192:15, 193:11, 193:25, 194:7, 196:4, 200:25, 201:2, 201:3</p> <p><b>community's</b> [1] - 136:10</p> <p><b>Community/General</b> [2] - 36:17, 37:4</p> <p><b>commute</b> [1] - 139:22</p> <p><b>commuter</b> [1] - 126:13</p> <p><b>companion</b> [8] - 32:5, 37:21, 38:3, 68:21, 105:8, 109:5</p> <p><b>company</b> [1] - 75:1</p> <p><b>comparable</b> [2] - 122:6, 158:10</p> <p><b>comparison</b> [1] - 27:15</p> <p><b>compatibility</b> [1] - 141:16</p> <p><b>compatible</b> [1] - 31:17</p> <p><b>complete</b> [4] - 16:5, 28:2, 139:23, 209:10</p> <p><b>completely</b> [2] - 157:21, 177:15</p> <p><b>Complies</b> [11] - 74:17, 79:4, 83:1, 86:25, 89:10, 93:25, 97:20, 100:17, 104:7, 110:2, 112:1</p>	<p><b>complies</b> [28] - 8:23, 11:13, 13:24, 16:20, 19:9, 20:17, 22:13, 29:1, 116:14, 119:20, 124:17, 127:9, 129:2, 132:19, 133:25, 137:23, 140:19, 143:23, 147:4, 151:5, 154:21, 156:21, 161:12, 165:2, 166:16, 169:1</p> <p><b>comply</b> [1] - 18:4</p> <p><b>component</b> [1] - 184:24</p> <p><b>Comprehensive</b> [8] - 21:6, 31:12, 37:3, 38:11, 61:15, 104:24, 104:25, 105:12, 206:8</p> <p><b>compromise</b> [5] - 153:8, 153:21, 160:1, 160:24, 178:4</p> <p><b>conceivably</b> [1] - 203:19</p> <p><b>concept</b> [3] - 184:16, 188:16, 188:24</p> <p><b>conceptually</b> [1] - 152:2</p> <p><b>concern</b> [18] - 45:20, 79:14, 79:15, 79:16, 80:5, 110:18, 117:3, 117:6, 117:16, 117:18, 120:7, 123:5, 123:24, 141:13, 145:11, 157:18, 162:3, 162:23, 179:11</p> <p><b>concerned</b> [14] - 25:13, 41:20, 42:4, 52:20, 85:24, 87:10, 87:11, 111:9, 120:9, 126:7, 141:5, 161:25, 170:17</p> <p><b>concerning</b> [4] - 39:14, 44:22, 61:24, 94:12</p> <p><b>concerns</b> [18] - 11:1, 43:7, 54:3, 57:3, 72:2, 72:6, 72:9, 72:19, 81:13, 87:9, 98:9, 125:11, 138:19, 139:2, 170:6, 170:12, 171:18, 185:7</p> <p><b>concludes</b> [2] - 10:10, 208:8</p> <p><b>Condition</b> [4] - 44:21, 48:16, 48:20, 48:25</p> <p><b>condition</b> [7] - 45:6,</p>	<p>45:24, 46:20, 47:3, 47:15, 48:25, 61:24</p> <p><b>conditional</b> [1] - 71:8</p> <p><b>conditioned</b> [1] - 25:18</p> <p><b>conditions</b> [15] - 8:7, 27:18, 29:22, 30:2, 38:21, 39:12, 44:11, 44:16, 45:12, 64:20, 65:1, 69:9, 131:21, 141:12, 146:1</p> <p><b>conductive</b> [4] - 129:18, 130:23, 131:3, 163:18</p> <p><b>conducts</b> [1] - 198:11</p> <p><b>conferred</b> [1] - 63:2</p> <p><b>confidence</b> [1] - 117:7</p> <p><b>confirm</b> [1] - 106:7</p> <p><b>conflicts</b> [1] - 4:18</p> <p><b>conforming</b> [1] - 206:15</p> <p><b>confusing</b> [1] - 182:5</p> <p><b>congratulations</b> [1] - 58:9</p> <p><b>conjunction</b> [2] - 68:1, 107:17</p> <p><b>connects</b> [1] - 181:3</p> <p><b>consanguinity</b> [2] - 28:3, 28:11</p> <p><b>conscientious</b> [1] - 198:11</p> <p><b>consensus</b> [1] - 193:21</p> <p><b>consequences</b> [1] - 117:25</p> <p><b>conservation</b> [1] - 41:12</p> <p><b>conservative</b> [1] - 110:15</p> <p><b>consider</b> [8] - 51:3, 82:5, 118:17, 160:5, 170:15, 197:17</p> <p><b>consideration</b> [7] - 81:24, 93:13, 120:13, 121:17, 163:24, 170:18, 179:8</p> <p><b>considered</b> [4] - 13:7, 31:13, 59:10, 203:15</p> <p><b>considering</b> [1] - 81:22</p> <p><b>consistent</b> [4] - 31:11, 37:2, 38:11, 61:15</p> <p><b>consists</b> [1] - 30:21</p> <p><b>consolidated</b> [1] - 206:2</p> <p><b>constant</b> [1] - 115:1</p> <p><b>constantly</b> [1] - 91:22</p> <p><b>construct</b> [2] - 17:8, 17:13</p>	<p><b>construction</b> [2] - 42:22, 53:22</p> <p><b>consultation</b> [1] - 63:24</p> <p><b>contained</b> [1] - 106:11</p> <p><b>contains</b> [1] - 10:24</p> <p><b>context</b> [3] - 68:19, 155:9, 155:14</p> <p><b>contiguous</b> [1] - 59:9</p> <p><b>continents</b> [1] - 90:4</p> <p><b>continue</b> [8] - 41:1, 107:18, 121:10, 135:3, 135:25, 188:3</p> <p><b>continues</b> [1] - 41:14</p> <p><b>contract</b> [2] - 59:13, 59:21</p> <p><b>contracts</b> [1] - 51:3</p> <p><b>contrary</b> [1] - 105:10</p> <p><b>control</b> [2] - 62:3, 143:6</p> <p><b>controlled</b> [2] - 143:3, 143:10</p> <p><b>convenience</b> [1] - 121:14</p> <p><b>conversation</b> [2] - 48:2, 65:25</p> <p><b>conversations</b> [2] - 42:25, 160:7</p> <p><b>conveyed</b> [1] - 33:12</p> <p><b>copies</b> [1] - 73:19</p> <p><b>copy</b> [2] - 3:14, 4:13</p> <p><b>Corey</b> [1] - 102:14</p> <p><b>Corklan</b> [2] - 6:17, 7:6</p> <p><b>Cornelia</b> [2] - 22:5, 100:7</p> <p><b>corner</b> [18] - 23:7, 25:11, 38:7, 38:14, 39:11, 53:15, 61:17, 70:2, 80:15, 80:19, 80:25, 87:21, 106:22, 121:22, 192:12, 194:10, 194:19, 195:23, 196:2</p> <p><b>corporate</b> [3] - 178:13, 178:19, 195:25</p> <p><b>correct</b> [8] - 31:22, 42:21, 43:5, 46:17, 46:18, 66:12</p> <p><b>corrections</b> [1] - 112:12</p> <p><b>correctly</b> [1] - 43:9</p> <p><b>correspondence</b> [1] - 93:9</p> <p><b>corridor</b> [4] - 68:16, 73:7, 147:15, 150:1</p> <p><b>Corridor</b> [1] - 64:8</p> <p><b>cost</b> [2] - 75:12, 182:13</p> <p><b>costing</b> [1] - 85:16</p>	<p><b>costs</b> [1] - 144:25</p> <p><b>Council</b> [2] - 4:9, 79:20</p> <p><b>Council's</b> [1] - 3:25</p> <p><b>Councilman</b> [3] - 5:11, 33:9</p> <p><b>councilman</b> [3] - 63:24, 64:5, 186:15</p> <p><b>Counsel</b> [3] - 1:20, 1:21, 2:21</p> <p><b>counts</b> [1] - 196:1</p> <p><b>COUNTY</b> [1] - 209:4</p> <p><b>County</b> [3] - 2:17, 21:9, 206:2</p> <p><b>county</b> [3] - 103:9, 104:16, 182:13</p> <p><b>couple</b> [11] - 15:19, 55:7, 98:10, 112:12, 125:9, 126:8, 136:11, 180:7, 191:5, 202:22, 205:13</p> <p><b>course</b> [5] - 40:19, 45:10, 131:11, 131:18, 176:12</p> <p><b>court</b> [3] - 3:8, 18:22, 89:23</p> <p><b>Court</b> [8] - 93:19, 94:12, 156:16, 159:5, 164:22, 166:10</p> <p><b>courtesy</b> [1] - 2:6</p> <p><b>Cove</b> [7] - 84:13, 86:19, 87:21, 87:22, 97:15, 161:7, 162:9</p> <p><b>cover</b> [1] - 144:7</p> <p><b>COVID</b> [8] - 76:25, 83:23, 84:16, 90:21, 184:18, 185:7</p> <p><b>coworker</b> [1] - 90:18</p> <p><b>cows</b> [1] - 54:21</p> <p><b>CPAC</b> [4] - 50:17, 50:22, 56:20, 58:7</p> <p><b>CRA</b> [1] - 10:22</p> <p><b>Crab</b> [1] - 70:23</p> <p><b>Cracker</b> [4] - 138:21, 190:8, 190:9, 190:15</p> <p><b>crazy</b> [3] - 101:3, 144:9, 162:2</p> <p><b>create</b> [7] - 39:10, 47:16, 109:1, 151:24, 184:3, 186:15, 196:13</p> <p><b>created</b> [2] - 18:1, 192:19</p> <p><b>creates</b> [2] - 205:23, 207:3</p> <p><b>creating</b> [3] - 17:21, 153:9, 180:14</p> <p><b>Creation</b> [2] - 157:24, 202:15</p>
--	--	--	---	---

<p>103:13 crime [3] - 90:1, 180:10, 197:8 crimes [1] - 90:22 criteria [8] - 8:6, 71:11, 71:12, 71:14, 95:17, 172:5 critical [1] - 184:24 cross [3] - 122:2, 149:12, 158:5 cross-traffic [1] - 158:5 crosshatched [1] - 31:25 Crossing [1] - 10:22 crossing [12] - 115:6, 121:24, 123:21, 131:16, 131:22, 146:10, 181:25, 185:13, 185:16, 185:19, 186:6, 192:24 crosswalk [4] - 122:1, 185:20, 185:24, 186:2 crow [1] - 102:16 crowd [1] - 71:25 crowded [1] - 123:7 crucial [1] - 141:10 CSV [1] - 41:11 Cubans [1] - 101:13 culture [2] - 190:24, 198:10 Current [1] - 1:18 current [7] - 7:13, 81:11, 106:22, 107:9, 125:2, 129:18, 129:25 cursing [2] - 157:23, 169:22 Curtis [2] - 50:9, 57:1 customer [1] - 29:10 customers [5] - 75:16, 77:5, 149:24, 162:9, 188:18 cut [1] - 75:14 cuts [1] - 181:4 cycle [2] - 197:16, 199:17 cycles [2] - 199:17, 205:13</p>	<p>DANIEL [1] - 1:14 dark [1] - 152:7 data [1] - 125:19 date [2] - 90:24, 107:11 dated [1] - 62:5 DATED [1] - 209:15 daughter [3] - 118:21, 121:23, 192:13 daughters [2] - 123:14, 150:22 David [2] - 82:9, 82:19 DAVID [1] - 1:13 day-to-day [1] - 53:25 daycare [1] - 10:20 days [3] - 75:17, 131:17, 131:19 Daytona [1] - 19:21 DBPR [1] - 106:7 de [2] - 136:3, 152:16 dead [1] - 106:16 dead-end [1] - 106:16 deal [3] - 89:25, 163:6, 163:8 dealing [2] - 52:8, 52:9 deals [3] - 99:16, 190:12, 205:9 dealt [1] - 34:22 death [2] - 80:17, 80:18 debris [1] - 44:23 decade [1] - 104:14 decibel [1] - 143:7 decided [3] - 152:6, 169:23, 177:19 deciding [1] - 75:1 declimates [1] - 153:11 decision [8] - 19:23, 118:24, 119:4, 119:8, 163:7, 195:10 decisions [4] - 3:20, 3:22, 105:3, 197:5 deck [1] - 91:1 declined [1] - 148:4 deep [1] - 198:5 deeper [2] - 48:3, 120:8 deeply [1] - 104:15 defense [1] - 59:21 defer [17] - 189:5, 193:19, 194:6, 197:16, 198:2, 199:18, 200:21, 200:22, 201:9, 201:12, 201:15, 201:19, 201:24, 202:6, 202:10, 202:11, 202:15 deferral [13] - 174:18,</p>	<p>175:2, 175:4, 192:3, 199:16, 199:21, 200:6, 200:11, 200:13, 200:24, 201:4, 201:14, 201:19 deferred [2] - 4:4, 5:15 deferring [5] - 5:16, 5:18, 6:1, 6:7, 189:18 definitely [4] - 56:23, 73:7, 99:5, 187:4 definition [3] - 182:4, 182:24, 203:11 delicious [1] - 188:15 delivered [1] - 91:10 Delwood [2] - 133:19 DeLucia [2] - 124:6, 124:11 DELUCIA [3] - 124:17, 124:22, 124:24 demand [1] - 17:9 demographic [2] - 139:20, 198:1 demonstrate [1] - 28:12 denies [1] - 208:1 Dennis [3] - 33:9, 75:5, 76:5 dense [2] - 56:19, 147:14 Density [5] - 30:24, 31:9, 31:23, 32:8, 36:16 Density-A [1] - 32:8 deny [5] - 87:23, 92:3, 107:13, 109:4, 124:1 Department [9] - 2:21, 8:6, 14:8, 18:5, 24:2, 31:18, 39:19, 71:11, 172:3 Department's [1] - 70:17 dependability [1] - 152:5 depicted [1] - 31:21 Dept [2] - 1:19, 1:21 derive [1] - 182:17 described [1] - 33:5 description [8] - 7:10, 38:13, 43:8, 45:4, 46:7, 61:20 deserves [1] - 75:3 Design [1] - 46:14 design [1] - 64:7 designations [1] - 107:8 desire [2] - 138:17, 151:23 desired [1] - 148:2</p>	<p>despise [1] - 197:9 destination [1] - 126:17 destroy [3] - 156:1, 156:5, 158:14 destroying [1] - 130:14 determine [1] - 141:24 detriment [2] - 97:1, 97:2 develop [2] - 45:17, 159:24 developed [4] - 10:18, 46:9, 205:15, 206:1 developer [1] - 204:8 Development [4] - 1:19, 1:21, 2:20, 61:5 development [15] - 9:21, 27:11, 36:18, 36:21, 36:24, 37:5, 37:10, 38:6, 43:4, 48:13, 49:21, 49:23, 84:9, 104:16, 206:4 developments [1] - 52:25 deviation [2] - 15:19, 15:21 deviations [1] - 3:17 devices [1] - 2:7 devotion [1] - 193:10 dialogue [1] - 176:6 dialysis [1] - 87:25 Diane [3] - 1:9, 209:7, 209:18 difference [1] - 49:19 differences [1] - 112:22 different [23] - 51:4, 51:5, 59:13, 77:20, 81:8, 98:23, 98:24, 106:2, 135:1, 138:8, 139:19, 142:14, 145:20, 145:22, 146:1, 157:11, 157:24, 169:11, 170:13, 177:18, 185:19, 185:22, 195:15 differently [1] - 151:16 dimension [1] - 141:21 dining [4] - 76:24, 133:5, 161:24, 185:4 dinners [1] - 162:15 dinnertime [2] - 121:6, 178:22 direct [1] - 149:6 directly [3] - 79:13, 122:15, 149:4</p>	<p>disallow [1] - 133:10 disaster [1] - 158:1 discriminate [1] - 183:25 discuss [4] - 93:1, 129:16, 208:3, 208:6 discussed [1] - 24:2 discusses [1] - 142:8 discussing [2] - 191:20, 199:20 Discussion [2] - 9:5, 108:5 discussion [35] - 5:2, 9:17, 9:23, 12:9, 14:22, 24:21, 26:4, 30:3, 34:8, 35:10, 35:24, 44:1, 48:8, 49:1, 56:13, 58:20, 60:17, 65:2, 67:4, 123:20, 139:2, 175:3, 176:7, 177:21, 179:18, 179:22, 179:25, 180:1, 187:16, 193:20, 196:24, 201:21, 202:12, 204:22, 207:16 dismiss [1] - 193:16 dispensary [1] - 148:2 dispute [1] - 156:4 disrupted [1] - 135:18 disruptive [1] - 98:4 distance [8] - 68:22, 105:15, 105:17, 105:18, 120:16, 131:8, 183:3, 197:21 distances [1] - 191:22 District [1] - 41:13 district [7] - 13:2, 32:8, 32:9, 49:19, 49:22, 68:16, 70:15 districts [1] - 34:24 ditto [5] - 100:10, 100:24, 101:11, 101:23 Div [2] - 1:19, 1:20 diverse [1] - 90:2 diversity [2] - 90:24, 101:12 divide [2] - 27:5, 27:22 division [1] - 180:14 DMV [1] - 158:7 doable [1] - 172:12 dock [1] - 103:9 document [2] - 31:22, 92:14 documents [1] - 73:21 dollars [1] - 182:14 donations [1] - 86:8 done [2] - 102:15, 103:4,</p>
---	--	--	--	---

**D**

D-1 [8] - 44:22, 44:25,  
46:4, 46:6, 46:16  
Dakota [1] - 199:3  
damn [1] - 163:16  
dangerous [2] -  
108:18, 168:5

<p>163:9, 185:16, 185:20, 186:19, 206:11 door [8] - 5:23, 58:4, 83:18, 114:19, 120:23, 161:23 doors [2] - 68:10, 120:25 DOT [1] - 18:1 Dowdel [3] - 136:19, 136:22, 153:25 down [34] - 3:7, 7:22, 15:20, 17:20, 18:19, 23:5, 27:3, 47:11, 53:7, 65:14, 70:15, 101:24, 102:1, 102:15, 102:19, 104:20, 118:14, 122:10, 125:8, 129:22, 129:24, 131:12, 145:5, 157:5, 161:19, 161:21, 162:10, 166:11, 181:4, 181:19, 189:4, 193:6, 194:2 dozens [2] - 184:20, 185:13 Dr [1] - 33:3 drainage [2] - 41:21, 43:12 draw [1] - 129:19 drawings [2] - 141:9, 141:23 DRI [1] - 36:21 drink [8] - 85:19, 85:20, 117:10, 117:11, 170:7 drinking [8] - 80:10, 80:11, 81:19, 95:9, 120:22, 155:22, 174:8, 177:22 drinks [2] - 111:7, 122:3 Drive [24] - 6:5, 6:6, 6:13, 6:17, 7:6, 8:13, 10:16, 11:24, 19:4, 22:5, 28:21, 40:14, 41:6, 42:3, 51:16, 82:20, 89:4, 100:7, 116:8, 128:21, 133:19, 140:16, 154:14, 168:19 drive [4] - 157:5, 168:3, 169:14, 170:1 driven [1] - 113:17 driver [1] - 99:15 driveway [3] - 106:12, 106:14, 131:23 driveways [1] - 168:3</p>	<p>driving [3] - 80:11, 194:24, 196:19 drop [2] - 24:4, 24:5 drop-off [2] - 24:4, 24:5 dropping [1] - 22:25 drove [1] - 68:11 drunk [7] - 80:4, 81:4, 81:18, 99:14, 157:23, 161:25, 194:24 drunkenness [1] - 163:13 due [3] - 99:14, 118:7, 183:11 Dunn [3] - 6:14, 12:22, 12:25 duplex [3] - 203:11, 203:14 duplexes [1] - 207:1 during [8] - 7:25, 22:25, 24:9, 43:10, 76:17, 76:23, 82:4, 92:16, 108:13 Duval [3] - 2:17, 21:9, 198:10 DUVAL [1] - 209:4 dwelling [1] - 27:7 dwellings [1] - 7:23 Dyal [1] - 28:20 DYAL [4] - 29:1, 29:6, 29:9, 30:12 dynamics [1] - 167:1</p>	<p>easement [3] - 28:12, 41:12, 59:22 easier [1] - 191:16 easily [1] - 102:6 east [8] - 12:25, 27:10, 31:3, 38:18, 41:22, 72:22 eastbound [1] - 40:23 easy [1] - 173:8 eat [4] - 77:8, 128:2, 167:5, 167:17 eating [1] - 153:10 echo [2] - 58:1, 198:3 ecological [1] - 53:19 economy [1] - 17:9 Ed [1] - 1:7 effect [1] - 145:21 effects [1] - 91:12 efficiency [1] - 4:17 efforts [1] - 21:8 egress [4] - 28:13, 98:13, 142:17, 191:8 egresses [2] - 95:2, 95:3 eight [2] - 88:5, 170:10 Eighty [1] - 122:22 Einstein [2] - 88:23, 89:3 EINSTEIN [4] - 89:10, 89:15, 89:18, 89:24 Einstein's [1] - 101:11 either [8] - 47:15, 47:16, 163:3, 170:22, 189:17 elderly [1] - 194:2 electrical [1] - 145:1 electricity [1] - 98:17 elementary [1] - 134:14 Elephant [1] - 183:21 elevation [1] - 52:8 eliminate [5] - 61:7, 63:12, 162:6, 175:7, 175:8 eliminated [1] - 131:10 eliminating [1] - 63:4 email [1] - 72:15 emails [3] - 75:23, 93:9, 126:9 employee [1] - 120:5 employees [3] - 115:8, 115:10, 131:10 enacted [1] - 142:23 enclosed [1] - 176:1 encourage [2] - 56:25, 107:13 end [7] - 18:3, 106:16,</p>	<p>108:14, 115:1, 155:16, 181:2, 203:17 endorse [1] - 58:8 energy [1] - 195:19 enforced [2] - 143:2, 143:9 enforcement [1] - 115:7 engineer [2] - 141:2, 141:3 enhanced [1] - 203:15 enjoy [3] - 98:12, 135:8, 148:15 enjoyed [1] - 187:20 enjoying [1] - 129:23 enter [2] - 3:6, 40:24 entering [1] - 122:4 enthusiasm [1] - 151:22 entire [1] - 153:9 entirely [2] - 47:14, 73:4 entitled [2] - 36:22, 206:25 entity [1] - 70:22 entrance [8] - 84:11, 84:13, 120:21, 142:15, 142:17 entrances [1] - 40:19 entrepreneur [2] - 114:4, 130:13 entry [1] - 190:16 environment [3] - 117:14, 136:1, 156:3 environmental [1] - 53:19 equally [1] - 199:15 escort [2] - 72:12, 118:8 escorts [1] - 95:20 especially [8] - 52:15, 98:14, 127:25, 170:3, 192:24, 206:1 essence [1] - 204:9 essentially [3] - 50:3, 54:18, 106:2 established [1] - 69:5 establishment [1] - 68:23, 80:23, 80:25, 81:7, 86:10, 106:6, 113:18, 136:7, 139:13, 140:1, 173:4 establishments [2] - 206:24, 207:1 estate [2] - 125:3, 194:16 Estner [4] - 93:6, 93:19, 164:20, 165:9 ESTNER [7] - 93:25,</p>	<p>94:5, 94:7, 97:9, 165:2, 165:7, 165:9 evening [3] - 98:19, 98:20, 101:14 evenings [2] - 123:18, 139:15 event [3] - 113:16, 113:17, 138:16 event-driven [1] - 113:17 events [1] - 113:10 eventually [3] - 159:16, 159:21, 178:16 everywhere [3] - 52:12, 91:19, 94:20 ex [2] - 110:15, 150:21 ex-husband [1] - 110:15 ex-wife [1] - 150:21 exacerbate [1] - 108:18 exact [2] - 92:25, 158:2 exactly [1] - 83:19 examples [2] - 139:4, 139:16 excellence [1] - 198:12 excellent [1] - 70:8 except [3] - 113:1, 130:8, 131:14 exception [2] - 10:15, 12:24, 13:7, 15:11, 15:18, 15:23, 17:25, 34:19, 35:6, 67:21, 67:24, 69:25, 71:1, 71:7, 80:21, 105:14, 106:4, 106:10, 107:14, 107:15, 107:24, 141:8, 152:17, 173:10, 175:6, 175:10, 175:13, 179:25 exceptions [8] - 3:16, 70:19, 105:24, 106:2, 190:21, 191:22 excuse [2] - 51:16, 180:18 exemption [1] - 203:25 exemptions [1] - 204:6 Exhibit [2] - 31:20, 31:22 exhibit [1] - 32:1 exhibits [2] - 38:21, 61:23 exist [2] - 158:14, 202:158:14</p>
---	---	---	---	--

E

E-13-30 [1] - 15:18  
E-15-20 [1] - 5:16  
E-17-46 [1] - 5:17  
E-19-37 [1] - 105:25  
E-20-38 [1] - 106:1  
E-20-46 [1] - 5:18  
E-20-84 [1] - 5:19  
E-21-08 [8] - 6:13,  
10:13, 10:15, 11:24,  
12:5, 12:8  
E-21-15 [8] - 6:14,  
12:21, 12:24, 14:12,  
14:18, 14:21  
E-21-16 [8] - 6:14,  
67:17, 67:21, 87:19,  
105:7, 105:23,  
109:4, 115:24,  
179:18  
E-21-17 [8] - 6:15,  
15:8, 15:11, 21:18,  
23:20, 24:12, 24:17,  
24:20, 105:22  
eager [2] - 135:24,  
197:15



<p>existed [1] - 107:20          existing [13] - 10:19,          17:22, 25:19, 33:14,          37:7, 49:20, 61:7,          105:10, 107:3,          108:20, 141:16,          141:25, 149:15          expand [2] - 15:23,          199:4          expansion [1] - 15:14          expansive [1] - 63:22          expect [3] - 50:18,          114:7, 131:20          expectation [2] -          180:11, 181:21          expensive [1] - 85:17          experience [1] - 75:22          experienced [2] -          125:25, 161:21          experiences [1] -          122:24          explain [1] - 182:3          explained [1] - 63:3          explaining [1] - 39:2          exposed [1] - 117:13          express [4] - 87:8,          94:9, 133:8, 199:8          expressing [1] - 81:9          extemporaneous [1] -          47:6          extend [1] - 202:7          extension [1] - 37:8          extremely [2] - 65:14,          121:19          eyes [1] - 118:2          eyesore [2] - 80:25,          159:11</p>	<p>fairness [1] - 176:18          faith [3] - 185:22,          186:17, 193:9          fall [2] - 7:16, 148:25          falls [1] - 182:23          familiar [3] - 112:10,          125:14, 135:4,          135:12, 136:1,          181:6, 183:16,          184:15, 184:16          familiarity [1] - 136:4          families [12] - 27:22,          75:18, 77:7, 81:3,          94:23, 102:2, 102:5,          103:16, 107:1,          128:7, 163:22,          163:23          family [28] - 27:6,          28:1, 28:6, 71:18,          71:25, 75:25, 80:13,          81:1, 81:3, 81:5,          81:7, 81:12, 87:12,          94:11, 94:15, 95:7,          122:23, 130:2,          130:9, 130:11,          130:19, 135:9,          139:17, 148:11,          148:15, 151:24,          159:24, 193:10          family-friendly [2] -          94:15, 122:23          family-oriented [4] -          71:25, 81:7, 81:12,          95:7          family-owned [2] -          71:18, 159:24          family-run [1] - 148:11          family/residential [1] -          96:5          fan [1] - 138:9          fantastic [1] - 181:13          far [11] - 43:6, 84:22,          101:14, 102:9,          102:14, 103:6,          118:12, 133:5,          186:20, 189:16,          192:11          farewell [1] - 155:23          fast [4] - 70:13,          135:16, 172:19,          194:18          fast-food [2] - 70:13,          172:19          fatal [1] - 191:2          fauna [1] - 94:25          favor [27] - 5:6, 10:2,          12:13, 15:1, 20:25,          26:8, 30:7, 35:14,          36:3, 44:5, 49:5,          50:18, 58:24, 60:21,</p>	<p>67:8, 133:8, 134:9,          184:17, 184:23,          185:3, 185:4, 189:3,          189:14, 201:25,          202:16, 205:1,          207:20          favorite [2] - 150:21,          155:20          FDOT [2] - 185:21,          187:8          fear [2] - 165:24, 166:1          feature [1] - 64:7          featured [1] - 177:10          February [1] - 122:24          fee [1] - 55:18          feedback [1] - 39:14          feet [28] - 25:20,          27:13, 55:15, 61:11,          63:8, 69:1, 82:1,          83:16, 84:11, 84:12,          105:17, 105:18,          113:23, 121:1,          141:21, 141:24,          152:11, 152:17,          155:17, 183:4,          196:13, 203:17,          203:18          fellow [1] - 114:4          fellows [1] - 101:2          felt [1] - 68:18          Fern [2] - 93:5, 93:18          few [7] - 78:14,          106:19, 111:6,          125:1, 129:24,          166:11, 184:12          fight [1] - 58:15          figure [4] - 45:6, 78:5,          157:4, 198:6          figured [1] - 155:5          fil [1] - 194:17          filed [1] - 73:2          fill [8] - 3:2, 21:22,          23:16, 154:5, 156:8,          156:11, 164:5,          164:14          filling [1] - 61:8          final [2] - 3:21, 195:6          Finally [1] - 75:24          finally [1] - 150:3          fine [4] - 48:1, 95:10,          165:19, 177:24          Finkelstein [1] -          156:15          FINKELSTEIN [3] -          156:21, 157:1, 157:3          fire [1] - 55:12          firehouse [2] - 41:3,          41:4          first [16] - 5:16, 13:8,          40:18, 47:23, 50:16,</p>	<p>59:23, 59:25, 76:22,          90:13, 100:25,          116:22, 127:17,          134:9, 141:14,          142:4, 151:14,          190:6, 191:24, 203:6          firsthand [1] - 192:21          fits [3] - 21:1, 21:6,          21:7          five [13] - 75:1, 90:3,          116:25, 140:2,          144:13, 145:7,          147:21, 148:14,          148:24, 159:10,          169:15, 170:9,          173:17          Fixel [3] - 159:4,          159:5, 161:1          flag [1] - 138:15          flashing [1] - 186:13          Fleet [3] - 16:10,          16:14, 23:25          fleet [4] - 16:12, 18:9,          21:15, 23:23          FLEET [8] - 16:20,          16:25, 17:3, 18:14,          24:1, 26:14          Fleming [1] - 109:22          files [1] - 102:16          flooded [1] - 42:2          floor [1] - 45:9          Floor [1] - 1:8          flora [1] - 94:25          Florence [1] - 6:2          Florida [22] - 1:9,          1:10, 20:12, 22:5,          28:21, 54:12, 74:12,          85:3, 93:20, 111:21,          116:9, 127:3,          133:20, 137:11,          141:3, 143:18,          164:21, 168:19,          169:10, 199:4,          209:7, 209:18          FLORIDA [1] - 209:3          flows [1] - 41:22          focus [4] - 73:14,          141:6, 155:22,          195:17          focused [1] - 120:10          focuses [1] - 175:23          FOLKS [1] - 1:18          Folks [16] - 11:3,          13:15, 16:9, 17:6,          28:15, 30:16, 32:21,          38:1, 46:1, 48:7,          50:6, 59:17, 69:13,          93:15, 204:13, 207:7          folks [4] - 16:2,          180:12, 203:4, 204:4</p>	<p>follow [3] - 4:2, 43:10,          105:11          followed [1] - 18:25          following [1] - 107:14          food [12] - 68:1, 68:8,          70:13, 77:8, 79:25,          106:8, 107:18,          153:10, 172:19,          181:11, 182:15,          182:18          foot [3] - 25:13,          120:12, 121:21          footage [5] - 25:19,          61:11, 65:19, 158:9,          182:21          football [8] - 78:9,          113:18, 122:19,          138:15, 155:19,          155:21          footprint [1] - 199:5          force [1] - 41:7          forced [1] - 88:17          foregoing [2] -          208:11, 209:9          foreign [1] - 185:25          form [3] - 28:3, 28:11,          127:22          former [3] - 32:12,          70:4, 120:4          formerly [1] - 110:19          forth [5] - 117:4,          158:6, 160:6,          162:14, 162:21,          186:16          forthcoming [1] -          66:21          fortunate [1] - 134:18          forward [18] - 11:1,          16:1, 27:16, 28:16,          32:19, 68:19, 69:8,          93:12, 133:11,          135:16, 142:22,          144:23, 176:3,          176:10, 189:1,          189:8, 192:2, 197:15          forwarded [1] - 93:9          forwarding [1] - 50:4          forwards [1] - 13:14          fostering [1] - 135:3          four [4] - 84:15,          141:13, 167:7,          169:15          fourth [1] - 46:12          FPR [1] - 1:9          frankly [1] - 128:9          free [1] - 195:13          French [1] - 181:9          frequently [1] - 139:10          Friday [13] - 72:12,          72:22, 73:19,</p>
<p><b>F</b></p> <p>F-I-x-e-I [1] - 159:4          face [2] - 72:22, 136:6          Facebook [1] - 122:22          faces [3] - 135:4,          135:12, 196:9          facilitate [1] - 36:18          facilities [1] - 143:5          facility [3] - 142:12,          160:16, 195:12          facing [2] - 196:12,          196:17          fact [11] - 22:22,          22:23, 87:12,          138:20, 152:22,          172:10, 172:21,          172:22, 198:24,          200:7, 205:13          facto [1] - 138:3          Fairfax [1] - 205:14          fairly [3] - 70:2, 171:5</p>				

<p>106:23, 118:4, 123:17, 130:25, 131:16, 131:18, 161:23, 162:13, 162:15 friend [2] - 90:19 friendly [3] - 94:15, 122:23, 126:16 friends [3] - 75:18, 76:22, 78:5, 97:4, 110:24, 123:16, 134:19, 148:15, 166:1 Frogger [1] - 113:25 front [11] - 75:8, 95:6, 122:16, 123:23, 134:10, 153:5, 160:14, 162:4, 162:7, 181:4, 182:22 frontage [3] - 28:5, 28:7, 28:10 full [8] - 70:12, 71:18, 75:7, 75:15, 75:21, 142:22, 190:9, 191:14 full-service [5] - 70:12, 71:18, 75:7, 75:15, 75:21 fully [1] - 121:11 fun [2] - 136:4, 153:9 function [1] - 53:25 funds [1] - 145:25 funny [1] - 193:3 furthermore [2] - 105:13, 149:10 future [3] - 39:8, 39:19, 47:12</p>	<p>Gateway [3] - 33:1, 33:4, 33:13 gathered [1] - 171:9 gauge [1] - 108:22 General [3] - 1:20, 1:21, 2:21 general [4] - 112:24, 121:14, 125:6, 141:17 generally [1] - 4:14 generate [2] - 172:20, 173:2 generating [1] - 32:11 gentleman [2] - 63:3, 161:24 gentlemen [5] - 63:1, 150:13, 151:14, 155:3, 202:24 gentlemen's [1] - 153:16 George [3] - 22:4, 99:25, 100:6, 126:24, 127:2, 127:19 GEORGE [3] - 127:9, 127:14, 127:16 Georgia [1] - 85:4 girl [1] - 167:8 Girls [1] - 76:20 given [3] - 9:1, 32:18, 68:15, 135:13, 144:15, 187:24, 198:5, 198:24 glad [4] - 5:14, 50:21, 64:8, 97:8 gladly [1] - 88:13 glass [1] - 84:3 Gloria [2] - 88:23, 89:3 goal [2] - 24:6, 76:13 goals [2] - 158:16 God [3] - 130:23, 159:13, 162:17 golden [1] - 195:22 Goodbys [1] - 103:12 Gordon [2] - 128:14, 128:20 gosh [1] - 144:5 governed [1] - 172:2 grab [1] - 56:25 gracious [1] - 58:5 grandchildren [3] - 85:8, 88:5, 88:14 grandfather [2] - 205:18, 206:22 grandfathered [1] - 71:2 grandfathering [1] - 207:3 grandparents [1] - 29:11</p>	<p>granted [5] - 15:18, 105:25, 106:4, 148:23, 149:15 grassy [1] - 142:25 gravity [1] - 105:3 Great [1] - 11:9 great [40] - 8:19, 11:22, 13:20, 14:10, 19:5, 19:24, 22:9, 28:21, 29:14, 39:1, 39:10, 43:13, 45:14, 46:1, 51:7, 54:4, 58:14, 58:15, 64:11, 74:13, 77:9, 82:12, 84:1, 89:25, 93:15, 97:16, 110:19, 123:5, 128:22, 132:15, 145:23, 146:16, 148:12, 148:14, 148:16, 148:19, 160:8, 181:12, 188:20, 188:21 greater [2] - 123:11, 123:24 greatest [1] - 153:3 greeted [1] - 106:21 Greg [2] - 127:2, 127:19 Gregory [1] - 126:24 grew [7] - 77:25, 78:2, 95:8, 125:2, 165:10, 176:25, 177:4 Grill [7] - 69:24, 71:16, 147:18, 148:11, 148:18, 149:25, 184:14 Grill's [1] - 147:12 Grille [3] - 71:23, 72:1, 138:25, 139:1, 139:6, 139:12 grocery [1] - 147:16 Gross [3] - 166:10, 168:13, 168:18 GROSS [3] - 166:16, 166:21, 166:23, 168:18, 168:23, 169:1, 169:6, 169:8 gross [1] - 170:20 ground [2] - 58:15, 188:2 group [2] - 134:18, 155:13 groups [2] - 90:22, 194:1 grow [5] - 17:12, 78:2, 83:10, 95:9, 178:12 growing [1] - 75:3 grown [1] - 171:12 growth [5] - 75:4,</p>	<p>75:5, 76:8, 94:18, 126:1 grudge [1] - 146:12 guard [3] - 72:12, 76:16, 95:21, 115:5, 115:14, 123:21, 131:17, 131:22, 160:7 guards [4] - 95:20, 98:12, 99:3, 115:10 guess [3] - 41:10, 146:8, 179:19, 200:10 guide [1] - 45:2 Guidelines [1] - 46:14 guy [4] - 105:5, 160:22, 176:18, 195:3 guys [13] - 65:25, 81:23, 118:16, 118:23, 151:20, 151:21, 162:12, 177:8, 187:25, 188:19, 188:20, 196:5, 196:21 Gym [1] - 83:24 gym [3] - 84:4, 169:14, 170:11</p>	<p>199:13, 199:18, 199:19, 199:23, 200:1, 200:2 HAINLINE [11] - 32:25, 36:9, 69:16, 69:21, 73:22, 74:6, 78:17, 171:1, 176:20, 200:2, 201:7 Haley [36] - 6:15, 15:9, 15:12, 17:20, 20:11, 21:19, 23:5, 23:7, 24:9, 67:24, 70:3, 72:13, 72:21, 73:3, 78:24, 84:12, 87:22, 96:15, 104:2, 106:15, 108:3, 108:9, 120:4, 120:11, 121:2, 121:15, 122:15, 131:23, 141:20, 142:16, 150:17, 150:21, 184:5, 184:10, 191:8, 196:14 half [9] - 7:17, 49:23, 50:14, 50:24, 50:25, 59:12, 158:17, 173:19, 182:13 half-acre [5] - 49:23, 50:14, 50:24, 50:25, 59:12 half-mile [1] - 158:17 Hall [1] - 4:10 hallway [1] - 203:1 Hance [3] - 6:16, 26:19, 26:25 hand [40] - 8:22, 11:12, 13:23, 16:19, 19:8, 20:16, 22:12, 28:25, 74:16, 79:3, 82:25, 86:24, 89:9, 93:24, 97:19, 100:16, 104:6, 110:1, 111:25, 116:13, 119:19, 124:16, 127:8, 129:1, 132:18, 133:24, 137:22, 140:18, 143:22, 147:3, 151:4, 154:20, 155:10, 155:12, 156:20, 161:11, 165:1, 166:15, 168:25, 198:14 handicapped [1] - 197:19 Handmaker [5] - 18:16, 18:17, 150:11, 150:16, 2021-374</p>
<p><b>G</b></p> <p>game [4] - 75:17, 81:18, 135:23, 139:18 games [3] - 85:24, 85:25, 95:9, 113:19, 122:19, 127:24, 128:9, 136:6 garage [2] - 13:1, 153:6 garages [1] - 13:6 garnered [2] - 107:4, 107:8 Garrett [1] - 33:9 GARRISON [1] - 1:13 Garrison [4] - 2:15, 10:4, 10:9, 69:19 Gary [2] - 8:12, 10:11 gas [8] - 63:4, 63:7, 64:4, 70:14, 147:17, 148:5, 158:8, 172:18</p>	<p><b>H</b></p> <p>H-a-r-r-i-n-g [1] - 140:12 Hacker [13] - 2:15, 10:8, 24:22, 48:9, 56:14, 57:10, 58:2, 66:6, 69:11, 187:17, 189:10, 193:18, 201:13 HACKER [31] - 1:13, 4:22, 9:12, 12:4, 14:17, 24:16, 24:23, 29:21, 34:3, 35:19, 43:21, 44:10, 48:10, 48:18, 56:8, 56:15, 60:12, 64:19, 66:7, 66:20, 66:23, 67:2, 69:13, 69:18, 179:17, 187:18, 201:8, 201:17, 202:5, 204:17, 207:11 Hagan [1] - 48:2 Haim [1] - 132:7 Hainline [18] - 32:23, 32:25, 69:12, 69:14, 69:16, 69:21, 170:24, 171:1, 176:14, 177:15, 178:4, 197:12,</p>	<p>2021-374 ON FILE</p>		

<p>159:7 handmaker [2] - 174:15, 175:23 HANDMAKER [6] - 18:18, 150:20, 150:24, 151:5, 151:10, 151:13 hands [1] - 32:13 hang [4] - 76:22, 167:13, 167:20, 167:22 hangout [1] - 136:4 Happy [2] - 107:7, 108:25 happy [7] - 33:20, 39:21, 73:22, 106:23, 107:7, 108:25, 176:11 harassed [2] - 165:14, 184:1 Harbor [1] - 16:15 Harbour [1] - 153:18 hard [5] - 58:8, 88:16, 115:8, 183:17, 193:22 Hardy [1] - 11:7 HARDY [4] - 11:13, 11:18, 11:21, 12:18 Harleys [1] - 196:19 Harm [1] - 132:10 harm [3] - 90:15, 91:25, 177:8 HARM [4] - 132:13, 132:19, 132:24, 133:1 harmless [1] - 91:8 HARRIS [10] - 74:17, 74:22, 74:25, 77:13, 77:18, 77:21, 136:23, 154:1, 176:24, 177:3 Harris [23] - 71:16, 71:23, 72:6, 72:10, 72:19, 73:23, 74:11, 129:9, 148:17, 151:21, 152:20, 171:8, 171:9, 171:14, 174:13, 175:1, 175:5, 176:12, 176:15, 176:21, 198:9, 198:24, 200:15 Hart [14] - 50:7, 50:8, 50:9, 51:7, 55:4, 55:6, 55:23, 56:19, 57:1, 57:13, 59:12, 59:18, 59:19 HART [11] - 50:9, 50:12, 55:7, 55:24, 57:15, 57:19, 57:22,</p>	<p>58:11, 58:17, 59:20, 60:4 hate [6] - 47:10, 90:1, 90:22, 92:18, 180:9, 180:17 haven [2] - 135:2, 135:5 hazard [2] - 96:16, 99:11 hazardous [1] - 94:15 head [2] - 33:4, 175:4 health [4] - 32:12, 33:17, 121:12, 142:8 hear [55] - 18:11, 18:16, 18:24, 20:1, 20:6, 40:1, 78:13, 80:2, 82:8, 83:15, 83:18, 86:13, 88:22, 89:1, 89:25, 93:5, 96:19, 96:21, 97:10, 99:24, 102:16, 103:21, 109:14, 111:16, 115:25, 119:7, 119:9, 124:5, 126:23, 128:14, 132:7, 133:14, 136:19, 137:4, 138:5, 139:1, 139:24, 143:14, 150:10, 152:23, 159:9, 160:15, 160:16, 161:3, 164:15, 168:13, 176:15, 176:18, 177:25, 187:13, 189:12, 190:22, 199:19, 199:24 heard [18] - 4:6, 4:16, 14:7, 33:7, 69:2, 85:17, 90:20, 110:23, 125:9, 126:8, 131:4, 138:18, 177:18, 182:2, 190:6 hearing [33] - 4:8, 6:12, 6:13, 6:16, 6:20, 7:5, 9:10, 12:2, 14:15, 24:15, 26:22, 29:19, 34:1, 40:11, 43:19, 55:4, 56:6, 59:4, 60:10, 64:17, 72:18, 81:8, 92:17, 94:8, 139:16, 179:15, 189:1, 190:25, 191:18, 192:2, 204:15, 205:6, 207:9 hearings [2] - 3:16, 171:4 heart [1] - 136:10</p>	<p>heartburn [1] - 48:12 heartfelt [1] - 174:4 hearts [1] - 118:20 heavy [1] - 141:25 Heckscher [1] - 6:5 held [3] - 1:6, 9:5, 108:5 hello [4] - 51:12, 93:18, 137:3, 159:3 help [10] - 5:25, 34:11, 45:1, 127:22, 137:14, 178:11, 179:5, 179:6, 180:23, 185:18 helped [2] - 170:1, 206:12 helpful [1] - 203:1 Herman [2] - 78:13, 78:23 HERMAN [3] - 79:4, 79:9, 79:12 Herring [3] - 140:7, 140:11, 141:1 HERRING [4] - 140:15, 140:19, 140:24, 141:1 Herzberg [6] - 62:13, 62:16, 65:5, 66:2, 66:8, 67:13 HERZBERG [10] - 62:15, 62:19, 62:25, 64:12, 65:9, 66:3, 66:12, 66:22, 67:1, 67:14 hi [4] - 97:14, 133:16, 133:17, 166:9 Hidden [1] - 16:15 high [6] - 76:20, 78:4, 121:19, 130:17, 173:3, 192:13 high-pedestrian- traffic [1] - 121:19 higher [2] - 173:3 highest [1] - 121:20 highlighted [2] - 148:22, 149:2 highly [2] - 107:13, 110:21 hike [1] - 94:24 himself [1] - 198:11 Higgs [4] - 13:16, 13:17, 13:18, 15:7 HIPPS [5] - 13:18, 13:24, 14:4, 14:6, 15:6 hire [1] - 72:11 historically [1] - 207:2 history [4] - 50:17, 68:8, 190:23, 191:1 hit [1] - 186:3</p>	<p>Hodgkins [1] - 33:3 Hogan [1] - 1:8 hold [1] - 179:2 hole [1] - 47:11 holiday [1] - 111:3 holidays [4] - 82:5, 90:9, 98:15, 98:21 Hollow [2] - 116:8, 140:16 Holocaust [1] - 91:13 holy [1] - 131:19 home [16] - 27:19, 53:5, 77:24, 81:15, 88:2, 88:16, 99:8, 125:14, 126:7, 128:6, 130:18, 132:2, 132:4, 162:20, 177:13 homeless [3] - 145:4, 159:14, 194:13 homeowner [2] - 79:13, 81:5 homes [4] - 91:9, 122:16, 162:15, 162:18 honestly [2] - 136:6, 194:21 honor [1] - 186:17 honorable [1] - 103:25 hookah [2] - 148:5, 178:17 hooters [1] - 152:10 hooved [1] - 54:21 hope [6] - 81:23, 92:3, 118:16, 131:20, 194:6, 194:7, 196:21, 199:16 hopefully [3] - 80:9, 160:5, 194:5 hoping [3] - 17:11, 159:8, 160:20 horses [1] - 54:21 hospital [1] - 103:11 hospitalized [1] - 88:1 hour [4] - 106:23, 135:23, 136:5, 194:23 Hour's [2] - 107:7, 108:25 hours [11] - 34:22, 53:5, 61:9, 61:13, 70:7, 81:10, 98:19, 107:7, 108:25, 189:7, 189:22 House [5] - 75:19, 76:3, 102:12, 128:3, 130:18 house [14] - 26:18, 26:19, 27:25, 68:25, 87:24, 96:23,</p>	<p>118:13, 141:19, 152:7, 152:12, 152:23, 181:4, 206:10 houses [13] - 6:24, 52:5, 53:24, 55:19, 55:20, 102:20, 120:14, 139:8, 152:14, 153:14, 203:8, 207:1 housing [2] - 57:7, 125:11 Howard [7] - 54:7, 54:11, 119:10, 119:14, 119:16, 120:3, 124:2 HOWARD [2] - 54:15, 54:17 huge [5] - 99:10, 157:7, 158:7, 162:23 humongous [1] - 162:16 hundred [4] - 81:25, 102:5, 125:5, 155:16 hundreds [2] - 144:8, 185:13 hurricane [1] - 41:25 Hurricane's [1] - 75:20 hurricanes [1] - 41:24 husband [2] - 110:15, 118:3 Huxford [5] - 69:25, 70:3, 70:10, 70:20, 73:10 HUXFORD [22] - 1:18, 10:14, 12:23, 15:10, 25:21, 26:20, 26:23, 32:5, 34:21, 45:15, 47:24, 49:14, 59:6, 67:18, 67:20, 93:7, 182:9, 183:2, 183:7, 203:6, 205:8, 207:25 hydrants [2] - 55:16, 55:17 hypothetical [1] - 115:11</p>
				<p>I I-295 [1] - 103:1 IAN [1] - 1:14 idea [7] - 66:13, 80:9, 96:11, 145:11, 159:22, 160:13, 197:18 Ideas [1] - 195:18 ignorant [1] - 180:16 il [1] - 205:16 illegal [1] - 149:5</p>

<p>illness [1] - 88:17          imagine [1] - 90:17          imagined [1] - 120:20          immediate [5] - 70:13,          70:16, 70:20, 71:3,          107:21          immediately [1] - 69:4          impact [11] - 36:22,          43:7, 53:14, 55:18,          87:14, 108:22,          125:16, 126:11,          127:23, 142:8, 148:9          impacts [3] - 53:19,          53:21, 72:5          implications [1] -          19:22          important [8] - 2:25,          3:8, 61:25, 62:2,          72:18, 118:22,          129:15          importantly [1] -          107:23          improvements [1] -          62:8          in/right [2] - 42:23,          42:24          inaudible [1] - 60:4          inaudible [1] - 144:19          incident [1] - 191:2          incidents [1] - 91:20          inclined [4] - 47:1,          197:14, 197:16,          198:1          include [1] - 64:1          including [2] - 36:23,          121:25          income [1] - 117:23          incorporate [1] - 64:6          incorrect [1] - 97:12          increase [8] - 7:24,          17:10, 25:1, 63:13,          63:16, 105:22,          109:1, 123:10          increases [1] - 80:1          increasing [1] - 61:10          indicating [1] - 116:1          indications [1] - 197:5          indoors [1] - 177:24          industrial [1] - 31:7          industrial [2] - 31:15,          34:24          industry [1] - 75:12          infill [2] - 13:13, 69:7          infinite [1] - 47:8          infirm [1] - 194:2          information [3] -          93:12, 103:15,          141:11          ingress [3] - 28:13,          95:3, 96:13</p>	<p>ingress/egress [2] -          108:2, 108:8          injured [1] - 121:24          inn [21] - 68:7, 70:4,          70:5, 84:12, 85:1,          85:2, 95:4, 110:19,          114:14, 126:2,          130:5, 142:11,          152:7, 161:20,          162:5, 163:1, 163:5,          169:17, 181:8,          184:4, 188:3          innovative [1] -          108:11          insensitive [1] -          180:21          inside [1] - 84:21          instance [1] - 113:9          instead [4] - 63:13,          101:21, 152:18,          189:20          instinct [1] - 142:4          institution [1] - 69:3          institutional [3] -          30:25, 31:5, 31:25          institutions [2] -          191:23, 197:22          insufficient [1] - 122:7          insulting [1] - 191:3          intended [1] - 32:14          intense [2] - 34:23,          181:20          intensity [2] - 31:13,          190:6          intention [1] - 105:12          interacting [1] -          175:17          interaction [1] -          174:23          interest [1] - 136:10          interested [3] - 142:3,          143:7, 148:6          interesting [4] - 25:5,          192:17, 194:4,          207:25          interests [1] - 152:20          interior [1] - 123:3          interpretation [1] -          47:4          intersection [1] -          30:20, 36:14, 36:19,          37:9, 39:4, 67:23,          80:18, 108:3, 108:9,          108:19, 109:2          intimidations [1] -          122:1          introduced [1] -          204:10          introducing [1] -          37:12</p>	<p>invest [1] - 151:23          invested [1] - 163:4          investment [1] - 152:4          involved [8] - 38:16,          79:21, 104:15,          127:20, 136:8,          153:22          island [2] - 109:22,          188:14          issue [23] - 21:4, 22:1,          22:21, 23:3, 85:7,          114:3, 115:12,          141:14, 143:1,          152:2, 163:13,          171:21, 171:23,          173:6, 173:24,          177:22, 190:14,          191:11, 191:12,          203:9, 204:11,          205:9, 205:24          issues [18] - 52:9,          52:10, 52:15, 84:5,          115:1, 123:22,          163:6, 163:8,          170:13, 172:7,          174:3, 174:5, 174:8,          174:25, 175:22,          177:23, 204:12          it'll [1] - 178:23          Italian [1] - 149:19          item [5] - 10:10, 16:4,          142:7, 142:18, 143:4          items [8] - 4:4, 4:14,          4:16, 5:16, 6:7, 6:9,          6:12, 148:25</p>	<p>165:21, 168:19,          169:10, 177:4,          177:10, 177:13          Jacob [1] - 159:5          Jaffa [2] - 111:16,          111:20          JAFFA [4] - 112:1,          112:6, 112:8, 115:18          Janis [1] - 16:14          JASON [1] - 1:15          Jason [4] - 18:25,          20:1, 143:14, 143:16          Jax [3] - 102:13,          107:7, 108:25          JCA [8] - 134:22,          135:4, 135:9,          135:22, 136:5, 167:9          Jeanne [2] - 86:14,          86:18          Jew [3] - 91:2, 110:15,          163:16          Jewish [38] - 19:21,          25:12, 90:7, 90:14,          90:18, 91:4, 98:20,          101:15, 102:5,          103:13, 110:14,          123:20, 134:12,          134:21, 134:25,          135:3, 135:12,          135:13, 136:3,          136:8, 136:9,          138:10, 157:24,          163:20, 163:22,          163:23, 165:15,          167:15, 169:22,          171:10, 176:25,          177:4, 177:8,          177:10, 181:3,          186:24          Jewish-centric [1] -          25:12          Jews [2] - 90:20,          167:21          Job [2] - 39:1, 144:21          Johns [1] - 41:12          JOHNSTON [1] - 1:20          join [1] - 2:9          joined [1] - 2:17          joint [1] - 206:21          Jose [48] - 6:15,          15:13, 16:4, 23:7,          67:17, 67:22, 67:23,          68:18, 70:2, 70:15,          72:10, 72:13, 72:23,          73:5, 73:6, 73:15,          83:16, 94:16, 96:15,          96:22, 103:2,          108:11, 108:13,          117:2, 120:11,          121:24, 123:22,</p>	<p>125:8, 144:11,          149:7, 149:11,          157:5, 157:13,          159:19, 160:14,          163:15, 163:17,          169:21, 169:23,          171:11, 178:1,          181:16, 181:19,          192:24, 194:10,          196:9, 196:12,          196:17          JOSHUA [1] - 1:13          journey [1] - 77:22          JSO [1] - 107:11          JTA [2] - 108:4,          108:10          Judge [1] - 144:21          judicial [1] - 3:18          Juke [1] - 206:21          Julia [2] - 164:20,          165:9          Jurlington [1] - 103:13          jumped [1] - 47:20          Jumpin' [1] - 102:12          jurisdictions [1] - 71:8</p>
<b>J</b>				
<p><b>JACKSONVILLE</b> [1] -          1:1          Jacksonville [53] -          1:9, 2:5, 16:15, 19:4,          20:12, 21:7, 22:5,          28:21, 40:14, 50:10,          51:16, 54:12, 74:12,          75:2, 77:23, 86:20,          87:18, 89:4, 90:11,          93:20, 96:7, 97:15,          107:6, 107:10,          108:24, 110:17,          111:21, 112:25,          116:9, 125:1, 127:3,          128:7, 128:21,          131:7, 132:14,          133:3, 133:20,          134:12, 134:13,          137:11, 143:18,          146:24, 148:13,          150:24, 156:16,          161:7, 164:21,</p>				
<b>K</b>				
<p><b>Kathryn</b> [2] - 137:1,          137:10          kayak [2] - 103:10          KEALEY [1] - 1:21          Keep [1] - 196:4          keep [8] - 52:22,          65:20, 75:13, 77:17,          139:16, 195:21          keeping [2] - 52:4,          185:4          keeps [2] - 57:7, 126:4          kegs [1] - 173:12          Keith [2] - 54:7, 54:11          Kelly [2] - 124:6,          124:10          Kenny [1] - 139:11          kept [2] - 3:1, 3:13          Kernan [1] - 61:17          Kevin [1] - 11:7          key [1] - 177:18          kick [1] - 189:4          kids [14] - 76:23, 95:8,          99:8, 101:7, 116:25,          117:1, 117:7,          117:15, 129:21,          159:12, 167:7          killed [3] - 99:14,          101:8, 121:23          kind [27] - 18:1, 51:24,          63:20, 64:1, 64:7,          91:19, 114:10,          120:1, 133:4</p>				

138:11, 144:8, 144:9, 144:13, 144:21, 144:23, 145:6, 145:25, 146:12, 156:2, 160:18, 172:14, 183:19, 184:22, 188:25, 191:15, 199:14, 204:10 kinds [3] - 54:22, 145:21, 174:24 Kingdom [1] - 149:9 Kings [1] - 5:20 KingSoutel [1] - 10:22 kitchen [1] - 183:25 knocked [1] - 161:23 knowing [1] - 121:3 knowledge [1] - 119:7 known [1] - 177:7 knows [3] - 71:6, 75:6, 159:13 Korean [3] - 72:8, 90:17, 91:5, 114:20, 114:24 kosher [3] - 110:16, 157:15, 167:18 KRISTEN [1] - 1:19 Kristen [2] - 39:1, 45:19	20:12, 26:19, 26:25, 50:9, 74:11, 83:20, 87:22, 104:2, 111:21, 150:21, 181:1 lane [4] - 22:24, 159:19, 193:6 large [8] - 17:25, 27:11, 41:22, 52:25, 59:22, 70:2, 106:21, 163:20 Large [1] - 1:10 largely [1] - 47:19 larger [5] - 19:22, 50:25, 57:24, 65:6, 190:11 largest [1] - 19:20 last [23] - 7:25, 10:22, 22:6, 34:14, 41:25, 67:20, 72:17, 97:11, 98:10, 116:5, 123:12, 125:4, 127:21, 140:2, 143:4, 147:22, 154:15, 176:16, 177:9, 180:25, 184:19, 185:9, 186:7 lastly [1] - 149:20 late [1] - 101:6 laughing [1] - 130:10 launch [2] - 103:10 Laura [2] - 37:19, 42:19 LAURIE [1] - 1:20 law [3] - 153:11, 153:12, 198:20 laws [2] - 152:3, 153:18 leading [1] - 95:6 Leafcrest [2] - 40:14, 42:3 lease [8] - 66:17, 117:19, 117:21, 147:24, 147:25, 148:8, 159:16, 173:2, 178:16 least [7] - 17:13, 53:17, 55:13, 152:13, 162:6, 182:17, 182:20 leave [4] - 88:16, 88:18, 108:25, 192:1 leaves [1] - 195:3 leaving [2] - 122:3, 134:25 left [4] - 3:5, 43:4, 129:25, 131:14 legal [2] - 198:20, 206:15 legally [1] - 27:20	legitimate [1] - 139:25 lend [1] - 197:7 less [5] - 29:13, 36:24, 57:18, 152:11, 152:24 letter [1] - 153:12 letters [1] - 51:22 letting [1] - 25:3 level [2] - 105:9, 162:2 levels [1] - 143:7 Levine [7] - 82:9, 82:10, 82:12, 82:19, 114:13, 128:14, 128:20 LEVINE [8] - 83:1, 83:6, 83:8, 129:2, 129:7, 129:9, 129:13, 132:4 LEWIS [8] - 1:19, 7:7, 38:2, 45:5, 46:6, 46:12, 46:14, 46:18, 61:3 Lewis [1] - 63:25 library [1] - 102:15 license [8] - 68:4, 68:5, 148:20, 149:16, 182:10, 182:12, 182:16, 190:8 licensed [1] - 141:2 life [4] - 124:25, 135:21, 156:5, 169:11 lifelong [3] - 112:9, 127:22, 134:19 lifestyle [1] - 98:24 lift [1] - 120:25 light [2] - 23:10, 52:23 Lighthouse [1] - 124:11 lighting [1] - 61:24 lights [2] - 23:6, 186:13 likely [5] - 43:2, 92:25, 106:24, 159:17, 202:22 limit [1] - 82:14 limitations [1] - 61:21 limited [5] - 2:24, 61:13, 65:16, 182:12, 189:22 limiting [1] - 77:15 Line [8] - 6:18, 30:15, 30:20, 31:3, 33:12 line [8] - 27:12, 31:8, 37:8, 41:4, 55:14, 63:9, 149:4, 184:11 lineal [2] - 28:2, 28:11 lined [1] - 130:8 lines [1] - 63:23	lining [1] - 188:5 liquor [13] - 65:13, 68:4, 70:12, 70:19, 85:15, 148:20, 149:16, 157:15, 182:10, 190:9, 191:14, 191:22, 197:20 list [2] - 102:25, 131:7 listed [8] - 4:15, 29:22, 30:2, 44:11, 44:16, 47:9, 48:20, 71:9 listen [4] - 118:23, 118:24, 130:20, 159:25 listened [1] - 118:19 listening [4] - 97:6, 153:23, 155:4, 187:20 literally [3] - 141:18, 188:18, 196:11 live [33] - 17:18, 25:10, 40:13, 51:15, 78:24, 85:9, 87:12, 90:10, 91:21, 93:19, 96:2, 96:20, 96:21, 98:24, 110:24, 124:11, 124:24, 127:2, 128:4, 141:5, 150:24, 156:6, 159:4, 159:14, 160:19, 161:7, 161:19, 163:2, 164:21, 166:11, 185:12, 192:10 lived [10] - 83:8, 87:20, 88:3, 94:10, 96:6, 165:10, 169:10, 180:25, 181:1, 184:12 lives [2] - 79:13, 81:6 living [2] - 97:4, 121:10 LLC [1] - 69:24 local [3] - 71:17, 76:11, 104:17 located [12] - 3:5, 4:13, 19:19, 30:19, 31:2, 36:13, 36:20, 38:7, 113:2, 147:14, 149:21, 149:25 location [34] - 13:13, 17:4, 37:9, 38:12, 41:4, 69:7, 71:21, 73:8, 83:19, 107:3, 107:5, 107:6, 107:9, 108:16, 110:18, 113:6, 113:7, 114:11, 123:4, 125:17, 125:19,	129:25, 130:11, 141:14, 148:11, 148:18, 149:6, 151:25, 158:12, 165:19, 165:20, 167:14, 167:20, 190:15 locations [2] - 125:20, 149:16 logical [2] - 31:17, 37:6 Lon [2] - 97:11, 97:14 Longleaf [1] - 41:6 look [21] - 53:18, 68:17, 73:11, 81:10, 94:25, 112:24, 113:15, 126:16, 157:11, 157:24, 165:16, 166:11, 170:8, 171:23, 188:11, 189:1, 189:8, 192:2, 193:4, 196:1, 208:5 looked [3] - 68:12, 172:4, 172:5 looking [8] - 18:17, 45:1, 52:23, 57:5, 91:1, 91:3, 126:11, 168:4 looks [2] - 45:15, 62:7 Loretto [1] - 6:4 lose [1] - 53:8 losing [2] - 40:11, 117:25 lost [5] - 90:25, 91:16, 205:18, 208:22, 207:3 loud [5] - 83:16, 83:17, 86:2, 152:23, 160:14 lounge [1] - 68:4 lounges [2] - 148:5, 178:17 love [13] - 80:24, 81:1, 81:8, 95:24, 96:6, 97:3, 97:4, 120:6, 128:8, 157:14, 160:13, 195:18, 195:21 loved [2] - 96:5, 135:6 lovely [1] - 81:1 Low [1] - 38:16 low [1] - 31:13 low-Intensity [1] - 31:13 Lubavitch [1] - 105:20 luckily [1] - 135:4 lunch [1] - 135:25 lunchtime [1] - 178:22 Luz [1] - 42:4, 44:7, 202:1-374
L	lack [2] - 103:14, 103:15 lacking [2] - 102:11, 167:11 ladies [1] - 202:24 laid [2] - 63:18, 145:5 Lake [1] - 103:12 Lakeside [1] - 6:6 land [27] - 3:23, 9:21, 27:6, 28:9, 30:22, 30:23, 31:5, 31:12, 31:13, 31:17, 31:23, 35:3, 35:4, 36:16, 38:10, 41:10, 44:22, 44:23, 45:21, 47:3, 51:1, 51:6, 61:16, 199:15, 205:12, 205:19, 206:18 Land [3] - 3:25, 4:6, 5:13 land-clearing [3] - 44:23, 45:21, 47:3 landscape [2] - 189:21, 186:14 landscaping [4] - 25:25, 46:9, 146:5, 160:9 Lane [13] - 6:16, 11:8,			

4:9, 47:16, 48:6, 208:11, 208:1	mass [1] - 91:16 Master [1] - 41:23 material [1] - 3:11 Matt [7] - 71:16, 74:11, 148:16, 171:8, 171:9, 188:11, 200:15 matter [16] - 9:20, 21:23, 23:18, 26:16, 92:19, 95:16, 95:17, 95:18, 95:19, 115:24, 117:9, 117:11, 164:8, 179:25, 198:5, 204:15 matters [3] - 4:2, 93:2, 170:22 McCormick [5] - 6:22, 61:2, 61:17, 62:9, 64:5 McDonald's [1] - 149:8 meal [2] - 78:7, 148:16 meals [1] - 162:19 mean [29] - 46:4, 46:19, 79:12, 85:23, 95:16, 102:4, 103:4, 144:13, 145:6, 153:13, 159:11, 159:18, 159:20, 160:7, 160:12, 160:15, 160:18, 178:22, 179:1, 180:12, 180:13, 181:16, 188:14, 192:23, 195:8, 195:14, 195:24, 197:20, 200:10 measure [1] - 133:8 measurement [1] - 149:5 mechanical [1] - 145:1 mechanism [1] - 115:7 Mecke [4] - 22:4, 99:25, 100:1, 100:6 MECKE [12] - 22:8, 22:13, 22:18, 22:20, 23:15, 100:10, 100:13, 100:17, 100:22, 100:24, 103:19, 164:9 media [1] - 90:20 median [1] - 43:1 medical [1] - 35:2 Medium [4] - 30:24, 31:9, 31:23, 32:7 meet [8] - 4:7, 8:5, 25:24, 71:10, 71:13,	76:2, 134:18, 148:15 MEETING [1] - 1:3 meeting [8] - 2:4, 4:21, 51:23, 52:1, 88:14, 93:14, 189:8, 208:9 meets [3] - 4:9, 148:24, 150:3 Mejia [8] - 37:18, 38:24, 39:22, 42:13, 42:16, 42:19, 43:13, 45:11 MEJIA [10] - 37:24, 38:25, 39:25, 42:14, 42:19, 43:14, 45:3, 45:13, 46:22, 49:11 MEMBER [83] - 7:2, 8:12, 11:7, 16:14, 19:3, 20:3, 20:9, 20:11, 21:20, 21:24, 22:1, 22:4, 26:18, 28:20, 37:18, 51:14, 54:11, 74:10, 78:23, 82:10, 82:19, 86:18, 88:24, 89:3, 93:18, 97:14, 100:1, 100:6, 103:25, 109:17, 109:21, 111:14, 111:20, 116:1, 116:7, 119:12, 119:16, 124:10, 127:1, 128:19, 132:10, 133:16, 133:18, 137:3, 137:8, 137:10, 140:11, 143:16, 146:23, 150:13, 150:16, 150:18, 154:7, 154:13, 154:17, 156:15, 159:3, 161:6, 164:20, 166:9, 168:18, 183:8, 186:8 member [49] - 2:23, 8:9, 11:4, 16:11, 19:1, 20:7, 21:25, 27:6, 28:2, 28:6, 28:17, 37:16, 40:3, 51:11, 54:8, 74:7, 78:20, 79:20, 82:16, 86:15, 89:2, 93:16, 97:13, 100:3, 103:22, 109:16, 111:17, 116:3, 119:11, 124:7, 126:25, 128:15, 132:9, 133:15, 134:21, 137:2, 140:8, 143:15, 146:22, 150:12,	154:10, 156:12, 158:25, 159:25, 161:4, 164:17, 166:6, 168:15, 180:7 Member [4] - 1:14, 1:14, 1:15, 1:15 MEMBERS [68] - 5:3, 5:7, 5:9, 6:10, 9:8, 9:18, 9:24, 10:3, 10:6, 11:25, 12:10, 12:14, 12:16, 14:13, 14:23, 15:2, 15:4, 23:21, 24:13, 26:5, 26:9, 26:11, 29:17, 30:4, 30:8, 30:10, 33:24, 35:11, 35:15, 35:17, 35:25, 36:4, 36:6, 43:17, 44:2, 44:6, 44:8, 49:2, 49:6, 49:8, 55:2, 56:4, 58:21, 58:25, 59:2, 60:8, 60:18, 60:22, 60:24, 64:15, 67:5, 67:9, 67:11, 136:20, 170:23, 186:25, 201:22, 202:1, 202:3, 202:13, 202:17, 202:19, 204:23, 205:2, 205:4, 207:17, 207:21, 207:23 members [10] - 2:20, 4:19, 50:12, 104:1, 149:12, 171:3, 175:20, 175:24, 176:5, 176:24 memorable [1] - 171:5 memories [1] - 153:10 memory [1] - 193:6 mention [2] - 141:18, 190:7 mentioned [4] - 122:5, 131:7, 165:23, 193:18 mentions [1] - 18:5 menu [2] - 75:8, 85:19 menus [2] - 71:19, 85:20 mercy [1] - 121:7 Merrill [1] - 5:17 mess [1] - 206:16 met [8] - 72:6, 90:3, 90:17, 95:17, 134:17, 182:23 Mets [1] - 120:5 mic [5] - 40:10, 51:19, 89:22, 137:6, 168:21 Michael [2] - 140:7, 140:11	microphone [3] - 3:9, 18:22, 128:23 middle [7] - 58:15, 59:23, 76:20, 103:3, 104:25, 135:1, 203:18 Middleburg [16] - 6:19, 36:15, 37:8, 38:7, 39:4, 39:9, 39:17, 39:20, 40:20, 40:23, 40:25, 41:1, 41:5, 42:22, 42:24, 43:2 midst [1] - 141:15 might [14] - 56:21, 65:22, 72:24, 81:22, 89:24, 90:1, 95:10, 158:3, 170:13, 171:8, 184:1, 200:17, 203:25 Mike [4] - 62:14, 62:16, 64:11, 141:1 mile [5] - 38:25, 57:17, 102:16, 102:20, 158:17 miles [1] - 84:15 Mill [2] - 23:4, 125:7 million [2] - 173:12, 182:14 Milner [2] - 18:24, 19:3 MILNER [3] - 19:9, 19:14, 19:17 mind [8] - 5:23, 40:9, 98:23, 186:8, 195:21, 196:4 minds [2] - 180:21, 193:15 mingle [1] - 146:2 minimis [1] - 152:16 minimum [3] - 7:13, 50:24, 55:14 minor [5] - 3:18, 7:8, 7:25, 13:1, 13:6 minute [4] - 2:24, 77:16, 82:14, 92:16 minutes [7] - 4:20, 4:23, 92:10, 104:22, 136:13, 136:14, 179:3 missed [2] - 133:5, 133:9 misses [1] - 122:1 missing [1] - 141:10 mistaken [1] - 34:14 mix [2] - 36:22, 101:1 MM-19-06 [1] - 5:20 MM-21-003 [1] - 5:21 MM-21-09 [7] - 6:17, 7:6, 7:13, 7:27, 202:18, 202:27
------------------------------------	--	---	--	---

<p>9:13, 9:16  <b>mobile</b> [1] - 2:6  <b>mode</b> [1] - 2:8  <b>models</b> [1] - 95:22  <b>moderate</b> [1] - 25:1  <b>modification</b> [3] - 7:9, 7:25, 8:3  <b>modifications</b> [1] - 3:18  <b>MOLDOVAN</b> [21] - 1:15, 4:24, 9:14, 12:6, 14:19, 24:18, 29:24, 34:5, 35:21, 43:23, 44:13, 48:22, 56:10, 60:14, 64:23, 179:21, 190:4, 201:10, 202:8, 204:19, 207:13  <b>Moldovan</b> [4] - 2:16, 10:8, 190:3, 192:7  <b>moment</b> [5] - 2:11, 39:24, 42:13, 45:9, 55:5, 71:17, 92:17, 189:25  <b>Monday</b> [4] - 85:25, 108:23, 122:18  <b>money</b> [5] - 78:19, 80:1, 85:15, 118:1, 151:22  <b>Monkey's</b> [3] - 83:24, 84:5, 183:5  <b>month</b> [2] - 10:22, 34:14  <b>months</b> [2] - 88:6, 123:12  <b>Monument</b> [1] - 64:5  <b>morals</b> [1] - 121:13  <b>morning</b> [4] - 64:1, 77:2, 103:1, 118:4  <b>most</b> [14] - 17:17, 43:1, 50:25, 85:20, 102:7, 105:9, 108:24, 159:17, 167:7, 167:16, 167:20, 184:24, 198:1, 199:14  <b>Motes</b> [1] - 27:3  <b>mother</b> [1] - 138:11  <b>motion</b> [55] - 4:25, 5:5, 5:10, 9:15, 10:1, 12:7, 12:12, 12:17, 14:20, 14:25, 15:5, 24:19, 26:7, 28:12, 29:25, 30:6, 30:11, 34:8, 35:13, 35:18, 35:22, 36:2, 36:7, 43:24, 44:4, 44:9, 44:14, 48:15, 48:19, 48:23, 49:4, 49:9, 56:11, 58:23, 59:3,</p>	<p>60:15, 60:20, 60:25, 64:24, 67:7, 67:12, 179:24, 201:11, 201:18, 201:24, 202:4, 202:9, 202:15, 202:20, 204:21, 204:25, 205:5, 207:14, 207:19, 207:24  <b>motions</b> [1] - 10:7  <b>motorcycles</b> [1] - 160:18  <b>move</b> [38] - 4:22, 9:12, 12:4, 14:17, 24:16, 29:21, 34:3, 35:19, 43:21, 44:10, 48:19, 56:8, 57:7, 58:14, 60:12, 64:19, 72:22, 83:14, 88:4, 92:13, 120:20, 133:11, 145:15, 165:18, 165:19, 176:3, 176:10, 179:17, 198:11, 197:15, 199:16, 199:20, 201:8, 202:5, 204:17, 207:11  <b>moved</b> [5] - 83:24, 83:25, 112:9, 169:9, 185:12  <b>moving</b> [2] - 153:4, 160:4  <b>MR</b> [163] - 7:7, 8:16, 8:23, 9:3, 10:12, 10:14, 11:13, 11:18, 12:18, 12:23, 15:10, 18:18, 19:9, 19:14, 19:17, 20:17, 20:22, 20:24, 22:8, 22:13, 22:18, 22:20, 23:15, 25:21, 26:20, 26:23, 32:5, 32:25, 34:21, 36:9, 38:2, 40:7, 40:11, 40:18, 42:11, 45:5, 45:15, 46:6, 46:12, 46:14, 46:18, 47:24, 49:14, 50:9, 50:12, 55:7, 55:24, 57:15, 57:19, 57:22, 58:11, 58:17, 59:6, 59:20, 60:4, 61:3, 62:15, 62:19, 62:25, 64:12, 65:9, 66:3, 66:12, 66:22, 67:1, 67:14, 67:18, 67:20, 69:16, 69:21, 73:22, 74:6, 74:17, 74:22, 74:25, 77:13, 77:18, 77:21, 78:17, 83:1, 83:6, 83:8, 93:7,</p>	<p>97:20, 97:25, 98:6, 100:10, 100:13, 100:17, 100:22, 100:24, 103:19, 104:7, 104:12, 104:14, 104:23, 108:6, 112:1, 112:6, 112:8, 115:18, 119:20, 119:25, 120:3, 122:13, 124:3, 127:9, 127:14, 127:16, 129:2, 129:7, 129:9, 129:13, 132:4, 132:13, 132:19, 132:24, 133:1, 133:25, 134:5, 134:7, 135:20, 136:14, 136:23, 140:15, 140:19, 140:24, 141:1, 143:23, 144:3, 144:5, 147:4, 147:9, 147:11, 150:20, 150:24, 151:5, 151:10, 151:13, 154:1, 154:21, 155:1, 155:3, 156:21, 157:1, 157:3, 164:9, 168:23, 169:1, 169:6, 169:8, 171:1, 176:20, 176:24, 177:3, 182:9, 183:2, 183:7, 200:2, 201:7, 203:6, 205:8, 207:25  <b>MS</b> [63] - 13:18, 13:24, 14:4, 14:6, 15:6, 16:20, 16:25, 17:3, 18:14, 26:14, 29:1, 29:6, 29:9, 30:12, 30:18, 36:12, 37:24, 38:25, 39:25, 42:14, 42:19, 43:14, 45:3, 45:13, 46:22, 49:11, 51:21, 54:5, 79:4, 79:9, 79:12, 86:25, 87:5, 87:8, 89:10, 89:15, 89:18, 89:24, 92:7, 92:12, 92:14, 93:25, 94:5, 94:7, 97:9, 110:2, 110:7, 110:10, 116:14, 116:19, 116:22, 124:17, 124:22, 124:24, 161:12, 161:17, 161:19, 165:2, 165:7, 165:9, 166:16, 166:21, 166:23  <b>Mudville</b> [2] - 139:1,</p>	<p>139:12  <b>multi</b> [1] - 65:11  <b>multi-tenant</b> [1] - 65:11  <b>multifamily</b> [1] - 203:14  <b>multimodal</b> [1] - 21:8  <b>multiple</b> [2] - 72:7, 122:3  <b>multiply</b> [1] - 102:6  <b>multifuse</b> [1] - 66:10  <b>murder</b> [1] - 91:16  <b>music</b> [2] - 83:17, 152:23  <b>must</b> [2] - 3:2, 75:13</p>	<p><b>need</b> [32] - 9:19, 15:22, 15:23, 21:22, 22:2, 27:19, 27:24, 28:2, 32:11, 32:16, 34:12, 40:16, 62:17, 63:15, 76:23, 85:6, 91:11, 101:21, 109:11, 113:14, 113:15, 117:24, 157:10, 157:22, 173:10, 178:21, 179:8, 183:12, 200:13, 200:19  <b>needed</b> [8] - 3:15, 43:9, 59:24, 65:18, 70:10, 135:2  <b>needs</b> [6] - 31:22, 37:11, 108:12, 128:10, 186:18, 198:23  <b>negative</b> [3] - 72:5, 126:10, 148:9  <b>neighbor</b> [3] - 87:16, 90:19, 141:5  <b>neighborhood</b> [65] - 17:17, 17:18, 17:20, 17:22, 51:23, 51:25, 52:4, 52:20, 53:1, 53:7, 53:10, 72:13, 76:11, 78:1, 80:14, 82:20, 83:9, 83:12, 83:13, 84:8, 84:10, 85:5, 85:6, 85:7, 85:9, 86:2, 87:13, 88:11, 90:2, 91:15, 98:14, 101:10, 101:19, 102:2, 103:7, 105:11, 106:13, 106:15, 108:17, 108:23, 109:3, 109:6, 112:18, 113:12, 115:2, 120:8, 120:15, 120:21, 129:19, 130:15, 130:24, 131:25, 139:3, 139:7, 143:8, 158:15, 163:2, 163:4, 163:18, 163:21, 165:10, 165:12, 166:25, 167:1, 167:4, 167:6, 167:10, 167:12, 167:15, 167:19, 167:24, 168:1, 168:2, 168:9, 172:15, 187:15, 188:22, 190:17, 190:19, 190:24, 190:25, 198:25, 2021-374</p>
---	--	--	--	--

**N**

**name** [32] - 8:10, 8:12, 11:5, 11:7, 16:12, 19:2, 20:10, 22:2, 22:7, 28:18, 40:5, 42:18, 51:12, 54:9, 62:15, 69:14, 74:8, 78:21, 78:23, 82:17, 88:16, 86:18, 88:25, 93:18, 97:11, 100:4, 103:23, 104:1, 109:19, 111:18, 116:5, 119:15, 120:3, 124:8, 124:10, 127:2, 127:19, 128:17, 128:20, 132:11, 134:8, 137:7, 140:9, 141:1, 143:16, 150:14, 150:16, 154:11, 154:13, 154:16, 156:13, 159:2, 159:3, 161:5, 161:6, 164:19, 164:20, 165:9, 166:7, 166:9, 168:16  
**native** [1] - 41:19  
**natural** [1] - 48:13  
**nature** [6] - 63:11, 64:3, 65:13, 93:2, 149:16, 160:19  
**Neal** [1] - 156:15  
**near** [5] - 91:9, 103:11, 105:16, 121:25  
**nearby** [4] - 41:3, 72:7, 72:8, 139:9  
**nearly** [2] - 47:7, 104:14  
**necessarily** [2] - 52:7, 203:24  
**necessary** [1] - 113:8  
**neck** [1] - 66:24

<p>199:1, 205:14  <b>Neighborhood</b> [1] - 205:20  <b>neighborhoods</b> [3] - 37:13, 114:21, 167:25  <b>neighbors</b> [8] - 22:23, 72:3, 72:19, 90:8, 97:4, 120:7, 121:6, 121:23, 166:1  <b>Neptune</b> [3] - 8:13, 109:8, 124:11  <b>nervous</b> [1] - 189:6  <b>never</b> [11] - 13:11, 77:23, 90:17, 91:18, 91:20, 92:3, 105:5, 120:19, 173:8, 177:7, 187:1  <b>New</b> [2] - 120:5, 169:9  <b>new</b> [13] - 27:19, 27:25, 48:14, 53:12, 73:13, 107:4, 133:2, 142:12, 144:25, 168:8, 174:9, 184:22, 208:5  <b>newer</b> [1] - 205:24  <b>news</b> [2] - 101:8, 115:13  <b>next</b> [23] - 20:1, 20:4, 21:11, 26:20, 41:9, 41:20, 49:25, 55:11, 58:4, 80:8, 108:16, 114:19, 120:22, 120:23, 130:22, 153:16, 156:10, 158:8, 164:15, 195:3, 199:11, 203:5  <b>NFL</b> [1] - 85:24  <b>nice</b> [4] - 78:8, 84:20, 160:24, 163:12  <b>Nicholas</b> [1] - 139:9  <b>night</b> [23] - 82:3, 82:4, 84:3, 84:18, 85:25, 86:1, 91:17, 101:17, 118:4, 122:18, 122:19, 123:17, 130:25, 131:16, 131:18, 161:23, 162:13, 162:16, 162:20, 162:22, 173:12  <b>nightclub</b> [2] - 182:25, 183:3  <b>nightclubs</b> [1] - 182:11  <b>nightmare</b> [2] - 80:16, 113:24  <b>nights</b> [3] - 70:6, 72:12, 72:14  <b>NIMBY</b> [1] - 105:5</p>	<p><b>nine</b> [2] - 90:15, 102:3  <b>ninety</b> [1] - 90:15  <b>ninety-nine</b> [1] - 90:15  <b>nobody</b> [3] - 160:10, 169:12, 172:10  <b>nobody's</b> [1] - 173:4  <b>noise</b> [18] - 52:24, 73:5, 79:14, 84:21, 87:9, 87:10, 88:12, 131:2, 143:4, 143:6, 143:8, 160:15, 162:1, 163:13, 174:22, 175:18  <b>non</b> [3] - 90:7, 178:23, 206:15  <b>non-conforming</b> [1] - 206:15  <b>non-Jewish</b> [1] - 90:7  <b>non-stop</b> [1] - 178:23  <b>nonalcoholic</b> [1] - 182:19  <b>nonconforming</b> [2] - 6:25, 205:10  <b>none</b> [32] - 5:4, 6:11, 9:9, 9:25, 12:1, 12:11, 14:14, 14:24, 24:14, 26:6, 29:18, 30:5, 33:25, 35:12, 36:1, 43:18, 44:3, 49:3, 55:3, 56:5, 58:22, 60:9, 60:19, 64:16, 67:6, 120:18, 170:24, 199:11, 201:23, 202:14, 204:24, 207:18  <b>nonresidential</b> [2] - 32:16, 37:12  <b>nontraditional</b> [1] - 163:22  <b>North</b> [8] - 1:8, 6:3, 28:21, 37:18, 42:19, 111:21, 146:23, 199:3  <b>north</b> [11] - 30:19, 31:10, 36:20, 38:17, 41:15, 70:24, 184:6, 184:9, 189:20, 197:19  <b>northeast</b> [1] - 36:14  <b>Northside</b> [1] - 49:17  <b>northwest</b> [1] - 10:17  <b>Notary</b> [1] - 1:10  <b>note</b> [4] - 27:9, 49:25, 50:16, 68:9  <b>noted</b> [3] - 131:22, 141:19, 145:3  <b>notes</b> [2] - 138:11, 209:11  <b>nothing</b> [40] - 9:2, 11:16, 14:2, 16:23,</p>	<p>19:12, 20:20, 22:16, 28:4, 74:20, 79:7, 83:4, 87:3, 89:13, 92:23, 94:3, 97:23, 100:20, 104:10, 110:5, 112:4, 116:17, 119:23, 124:20, 127:12, 129:5, 132:22, 134:3, 138:1, 140:22, 144:1, 147:7, 151:8, 154:24, 156:24, 161:15, 165:5, 166:19, 167:4, 169:4, 188:4  <b>notice</b> [1] - 41:10  <b>noting</b> [1] - 142:9  <b>nowhere</b> [2] - 53:8, 167:4  <b>Number</b> [5] - 47:19, 48:16, 129:20, 149:2, 149:14  <b>number</b> [20] - 7:23, 18:19, 25:1, 47:8, 73:16, 75:23, 106:16, 107:5, 108:24, 123:1, 131:4, 139:4, 144:15, 145:18, 145:20, 171:6, 172:25, 178:7, 182:12, 204:2  <b>numbers</b> [2] - 173:24, 182:6  <b>numerous</b> [2] - 95:13, 134:16</p>	<p><b>occur</b> [1] - 199:22  <b>occurred</b> [1] - 152:8  <b>occurs</b> [1] - 198:19  <b>OF</b> [4] - 1:1, 209:1, 209:3, 209:4  <b>off-site</b> [1] - 34:15  <b>offense</b> [2] - 189:12, 193:14  <b>offensive</b> [1] - 180:13  <b>offer</b> [1] - 91:24  <b>offering</b> [1] - 63:21  <b>offers</b> [1] - 148:8  <b>office</b> [5] - 31:2, 32:18, 35:2, 65:7  <b>Office</b> [8] - 1:20, 1:21, 2:21, 32:9, 32:17, 107:10  <b>officer</b> [2] - 81:21, 115:6  <b>often</b> [4] - 165:13, 189:12, 198:13, 198:14  <b>OGC</b> [1] - 206:13  <b>old</b> [9] - 39:9, 68:7, 87:25, 101:8, 101:13, 151:20, 165:11, 205:15, 208:2  <b>Old</b> [15] - 5:20, 6:19, 27:1, 36:15, 37:8, 38:7, 39:4, 39:17, 39:19, 40:20, 40:23, 41:5, 42:21, 42:24, 43:2  <b>omitting</b> [1] - 184:23  <b>once</b> [5] - 42:21, 53:22, 76:8, 99:24, 125:23  <b>one</b> [100] - 3:10, 7:17, 7:18, 13:8, 16:8, 20:4, 20:8, 21:11, 22:21, 23:6, 26:20, 27:19, 27:20, 27:23, 30:19, 31:19, 33:11, 39:23, 48:24, 49:21, 49:25, 51:5, 51:8, 53:6, 54:6, 55:7, 59:10, 59:14, 61:24, 62:6, 65:17, 65:22, 70:24, 71:12, 71:13, 72:9, 79:22, 80:7, 85:21, 86:4, 90:16, 91:10, 91:11, 91:14, 95:6, 98:22, 100:11, 102:3, 102:19, 107:5, 108:24, 109:12, 111:12, 112:23, 113:1, 121:22, 123:1, 126:19, 127:24,</p>	<p>135:23, 136:5, 144:9, 144:20, 146:25, 147:11, 148:24, 149:8, 150:3, 152:14, 153:6, 153:22, 155:10, 161:23, 164:9, 165:22, 171:10, 171:11, 174:20, 176:15, 181:17, 184:12, 188:2, 188:7, 189:7, 190:6, 191:15, 192:14, 194:4, 197:11, 197:16, 199:14, 199:17, 203:6, 204:14, 205:13, 206:20, 207:8  <b>One</b> [2] - 62:16, 124:14  <b>one's</b> [2] - 102:3, 102:18  <b>one-acre</b> [2] - 27:20, 49:21  <b>one-and-a-half</b> [1] - 7:17  <b>one-bedroom</b> [1] - 7:18  <b>one-hour</b> [1] - 136:5  <b>one-user</b> [1] - 65:17  <b>ones</b> [2] - 121:8, 163:7  <b>online</b> [1] - 126:9  <b>open</b> [18] - 7:4, 26:22, 59:4, 61:9, 61:13, 70:5, 70:7, 79:17, 83:15, 101:6, 145:15, 153:6, 176:7, 188:6, 193:1, 205:6  <b>opened</b> [1] - 125:23  <b>opening</b> [1] - 158:8  <b>operated</b> [1] - 106:19  <b>operates</b> [1] - 15:15  <b>operation</b> [8] - 15:17, 34:23, 45:21, 81:10, 189:22, 194:22  <b>operations</b> [1] - 108:21  <b>operator</b> [4] - 188:20, 188:21, 194:25, 195:1  <b>opined</b> [1] - 71:13  <b>opinion</b> [7] - 57:6, 133:2, 133:9, 141:10, 189:1, 190:17, 191:12  <b>opinions</b> [1] - 94:9  <b>opportunities</b> [3] - 133:5, 147:24, 2021-374</p>
---	---	---	---	--



<p>157:12  <b>opportunity</b> [12] -  62:20, 77:8, 89:19,  110:12, 110:13,  116:23, 129:14,  133:10, 146:5,  171:13, 188:10,  191:10  <b>oppose</b> [3] - 40:18,  98:9, 111:8  <b>opposed</b> [18] - 5:8,  10:5, 12:15, 15:3,  26:10, 30:9, 35:16,  36:5, 44:7, 49:7,  59:1, 60:23, 67:10,  187:25, 202:2,  202:18, 205:3,  207:22  <b>opposition</b> [18] -  18:10, 21:16, 23:22,  39:23, 50:23, 51:8,  51:21, 62:24, 63:1,  78:15, 105:7,  115:16, 149:20,  174:21, 176:17,  177:17  <b>option</b> [9] - 114:17,  114:22, 128:2,  128:9, 160:8,  201:14, 201:19,  202:7, 202:11  <b>options</b> [3] - 114:18,  159:9, 160:12  <b>Orange</b> [2] - 103:7,  103:8  <b>order</b> [13] - 4:15, 4:16,  7:5, 7:11, 15:23,  17:12, 32:15, 59:24,  75:13, 77:8, 121:13,  148:4, 164:12  <b>Ordinance</b> [5] - 13:5,  32:6, 49:15, 59:7,  203:7  <b>ordinance</b> [6] - 6:22,  13:4, 31:20, 34:13,  34:21, 205:9  <b>ordinances</b> [2] -  142:23, 203:5  <b>organization</b> [1] -  198:9  <b>organizations</b> [1] -  197:21  <b>orient</b> [2] - 63:18,  73:14  <b>oriented</b> [7] - 71:25,  72:21, 73:3, 73:4,  81:7, 81:12, 95:7  <b>original</b> [4] - 7:10,  17:25, 38:20, 73:2  <b>Orlando</b> [1] - 19:21</p>	<p><b>Orthodox</b> [4] - 19:20,  25:4, 110:14, 163:21  <b>otherwise</b> [1] - 204:5  <b>Otis</b> [1] - 27:1  <b>ourself</b> [1] - 116:24  <b>Outback</b> [1] - 149:18  <b>outcry</b> [1] - 197:24  <b>outdoor</b> [20] - 68:1,  73:14, 85:18,  120:25, 123:8,  133:5, 141:22,  142:13, 149:22,  153:2, 153:5,  158:11, 160:13,  180:2, 185:4, 187:5,  191:13, 196:8,  196:17, 197:17  <b>outside</b> [35] - 70:1,  72:20, 73:1, 76:24,  107:18, 107:19,  145:12, 145:13,  153:7, 155:18,  174:11, 174:17,  174:19, 174:21,  174:25, 175:6,  175:8, 175:13,  175:16, 175:18,  175:19, 175:24,  175:25, 176:9,  177:14, 177:20,  177:22, 178:1,  178:2, 179:19,  184:21, 187:23,  189:18, 189:19  <b>overall</b> [1] - 140:3  <b>overflow</b> [6] - 84:24,  113:5, 113:19,  122:13, 130:7, 157:9  <b>overflowed</b> [1] - 42:1  <b>overlay</b> [2] - 172:14,  192:19  <b>overnight</b> [1] - 147:20  <b>overwhelmingly</b> [1] -  152:18  <b>own</b> [5] - 118:12,  135:15, 150:20,  188:8, 192:19  <b>owned</b> [3] - 71:18,  147:21, 159:24  <b>owner</b> [8] - 73:24,  77:17, 81:9, 113:9,  114:4, 115:8,  117:17, 117:18  <b>owners</b> [1] - 147:11</p>	<p>112:13, 122:18,  143:5, 208:12  <b>page</b> [2] - 46:12,  179:11  <b>Page</b> [3] - 31:21,  67:16, 129:19  <b>PAIGE</b> [1] - 1:20  <b>paired</b> [1] - 65:14  <b>palatable</b> [1] - 191:7  <b>parcel</b> [5] - 27:20,  51:1, 51:5, 59:22,  59:23  <b>pardon</b> [1] - 54:15  <b>parents</b> [1] - 138:18  <b>park</b> [16] - 85:2, 85:4,  91:3, 113:11,  113:12, 114:8,  114:14, 114:17,  114:19, 114:20,  114:21, 122:8,  162:9, 194:22  <b>parking</b> [87] - 7:12,  7:14, 8:1, 24:5,  25:24, 31:2, 32:14,  33:19, 34:15, 34:18,  35:4, 70:9, 73:16,  84:23, 84:25, 85:1,  113:5, 113:7,  113:10, 113:19,  114:10, 114:12,  114:22, 115:1,  115:3, 122:7,  122:14, 122:16,  130:7, 131:9,  131:14, 139:24,  142:18, 142:19,  142:21, 142:24,  142:25, 143:1,  157:9, 159:12,  162:3, 162:4, 162:6,  168:4, 173:15,  173:16, 173:17,  173:18, 173:19,  173:24, 174:1,  174:2, 174:5, 174:7,  175:22, 178:9,  178:21, 194:13,  197:19  <b>parks</b> [1] - 103:8  <b>Parkway</b> [1] - 62:16  <b>Parkwood</b> [1] - 132:13  <b>Part</b> [2] - 46:10, 204:2  <b>part</b> [5] - 3:12, 10:17,  35:3, 64:9, 75:4,  75:5, 120:15,  144:11, 175:15  <b>participants</b> [1] - 3:9  <b>particular</b> [2] - 96:12,  195:10  <b>parties</b> [2] - 83:13,</p>	<p>153:21  <b>party</b> [1] - 162:17  <b>pass</b> [6] - 13:11,  71:20, 73:9, 101:18,  128:16, 169:20  <b>passed</b> [2] - 85:19,  85:21  <b>passes</b> [17] - 5:10,  10:7, 12:17, 15:5,  26:12, 30:11, 35:18,  36:7, 44:9, 49:9,  59:3, 60:25, 67:12,  202:4, 202:20,  205:5, 207:24  <b>passion</b> [1] - 177:2  <b>passionate</b> [1] -  198:25  <b>past</b> [4] - 81:17,  104:14, 134:22,  191:2  <b>pastor</b> [1] - 72:8  <b>patient</b> [1] - 98:3  <b>patio</b> [14] - 72:20,  149:22, 150:5,  153:2, 153:9,  155:19, 174:21,  174:25, 175:7,  175:14, 175:25,  177:15, 177:20,  179:10  <b>PATRICIA</b> [1] - 1:21  <b>patrons</b> [8] - 90:13,  106:21, 106:25,  120:22, 142:5,  142:24  <b>pattern</b> [1] - 31:17  <b>pause</b> [2] - 198:6,  203:3  <b>pavement</b> [1] - 130:22  <b>paved</b> [1] - 64:2  <b>pay</b> [5] - 55:18, 75:11,  76:15, 85:15, 148:3  <b>paying</b> [1] - 75:10  <b>peace</b> [2] - 83:21,  132:4  <b>peaceful</b> [1] - 129:23  <b>Pearl</b> [1] - 6:3  <b>pedestrian</b> [11] -  25:12, 25:15, 80:18,  99:13, 110:22,  121:19, 142:1,  168:2, 186:7, 193:7  <b>pedestrians</b> [3] - 21:5,  142:6, 174:24  <b>people</b> [94] - 22:25,  23:9, 23:11, 24:8,  51:25, 52:17, 72:12,  75:17, 77:20, 78:8,  80:4, 80:10, 81:17,  82:3, 83:14, 84:3,</p>	<p>84:5, 84:9, 86:9,  90:3, 90:14, 91:1,  91:12, 91:15, 93:11,  94:18, 95:22, 98:8,  98:11, 98:7, 101:15,  102:21, 111:5,  113:11, 113:24,  114:7, 114:13,  115:3, 120:12,  120:14, 122:3,  122:7, 128:3,  130:22, 131:1,  135:14, 139:10,  139:21, 145:5,  146:7, 146:9,  146:10, 153:9,  155:5, 155:11,  155:19, 156:2,  157:22, 157:24,  158:5, 159:14,  160:11, 161:21,  161:22, 162:25,  165:22, 167:14,  167:16, 167:25,  168:8, 169:12,  169:25, 170:7,  170:12, 171:18,  172:21, 173:23,  177:8, 177:9,  177:22, 178:2,  178:8, 180:17,  184:5, 184:12,  185:5, 185:13,  186:1, 186:3,  191:21, 194:11,  194:13, 194:22,  196:18  <b>people's</b> [1] - 93:3  <b>per</b> [5] - 7:14, 8:2,  61:13, 112:19  <b>perceive</b> [2] - 143:8,  173:23  <b>percent</b> [8] - 90:15,  90:16, 122:22,  123:9, 123:10,  125:25, 148:3,  182:17  <b>perfectly</b> [1] - 158:4  <b>perfidious</b> [1] - 130:3  <b>perform</b> [1] - 63:15  <b>perhaps</b> [1] - 175:4  <b>perimeter</b> [1] - 141:24  <b>period</b> [1] - 201:2  <b>permanent</b> [2] -  131:24, 170:15  <b>permissible</b> [2] -  71:10, 150:6  <b>permit</b> [2] - 31:1, 43:9  <b>permitted</b> [2] - 68:19,  72:4</p>
---	--	--	--	---

**P**

**P-r-u-l-t-t** [1] - 51:15  
**p.m** [9] - 1:7, 2:1, 4:10,  
70:6, 106:24,

<p> <b>permitting</b> [1] - 43:11  <b>perpetrators</b> [1] - 91:20  <b>person</b> [8] - 3:10, 25:2, 90:18, 90:23, 159:23, 174:20  <b>personal</b> [1] - 189:1  <b>personally</b> [2] - 178:9, 191:7  <b>perspective</b> [1] - 138:9  <b>Peruvians</b> [1] - 101:13  <b>Pete</b> [1] - 131:7  <b>phase</b> [1] - 43:11  <b>phone</b> [2] - 178:7, 179:4  <b>phones</b> [2] - 2:7, 98:16  <b>phonetic</b> [1] - 75:6  <b>physically</b> [1] - 149:5  <b>pick</b> [1] - 88:14  <b>picked</b> [3] - 75:2, 77:23, 77:25  <b>Pickers</b> [2] - 103:7, 103:8  <b>picking</b> [1] - 22:25  <b>picture</b> [3] - 98:15, 129:20, 129:21  <b>pictures</b> [1] - 129:20  <b>pie</b> [1] - 130:9  <b>piece</b> [10] - 27:6, 27:23, 28:6, 28:9, 33:14, 35:3, 59:12, 59:24, 59:25, 172:13  <b>pies</b> [2] - 181:9, 181:11  <b>pink</b> [1] - 26:16  <b>pitcher</b> [3] - 81:19, 190:12  <b>pitchers</b> [1] - 188:14  <b>pizza</b> [1] - 77:8  <b>place</b> [31] - 2:6, 3:3, 27:4, 39:7, 47:23, 80:12, 80:22, 81:17, 91:3, 91:10, 91:11, 95:4, 95:11, 96:24, 99:2, 103:3, 130:15, 135:11, 136:3, 138:24, 148:15, 151:24, 152:1, 167:12, 169:16, 170:5, 170:16, 172:21, 173:3, 188:19, 192:25  <b>placed</b> [2] - 120:23, 190:16  <b>places</b> [7] - 84:25, 114:8, 121:5, 138:22, 158:10, 171:17, 178:17         </p>	<p> <b>plan</b> [20] - 17:13, 24:3, 38:13, 39:16, 61:20, 62:5, 63:18, 63:25, 72:23, 73:2, 73:13, 104:17, 104:19, 113:16, 120:24, 146:4, 173:19, 175:15, 189:17, 189:19  <b>Plan</b> [8] - 21:7, 31:12, 37:3, 38:11, 61:16, 104:24, 105:1, 105:12, 206:8  <b>Plank</b> [1] - 27:1  <b>Planned</b> [1] - 61:4  <b>planned</b> [1] - 27:10  <b>PLANNING</b> [1] - 1:2  <b>planning</b> [2] - 104:15, 122:20  <b>Planning</b> [24] - 1:18, 1:19, 1:19, 1:20, 1:21, 2:5, 2:20, 3:20, 4:3, 4:5, 14:7, 16:7, 18:5, 24:1, 45:20, 47:24, 68:9, 70:17, 71:11, 87:17, 88:13, 93:10, 141:7, 172:3  <b>plans</b> [5] - 39:9, 39:19, 73:9, 142:3, 164:7  <b>plant</b> [1] - 153:17  <b>plat</b> [2] - 203:25, 204:4  <b>plattling</b> [1] - 204:4  <b>play</b> [1] - 135:24  <b>Players</b> [4] - 71:23, 71:25, 138:25, 139:6  <b>playing</b> [5] - 113:25, 129:22, 135:5, 139:10, 155:21  <b>plead</b> [1] - 158:13  <b>Pledge</b> [2] - 2:9, 2:12  <b>plenty</b> [5] - 10:24, 70:8, 157:12, 158:10, 165:20  <b>plumbing</b> [1] - 145:1  <b>plus</b> [1] - 98:20  <b>podium</b> [52] - 8:9, 11:4, 13:17, 16:11, 19:1, 20:7, 21:25, 23:25, 28:17, 32:23, 37:16, 40:3, 42:16, 50:8, 51:11, 54:8, 55:6, 59:19, 62:13, 69:12, 74:7, 78:20, 82:16, 86:15, 89:2, 93:16, 97:13, 100:3, 103:22, 109:16, 111:17, 116:3, 119:11, 124:7, 126:25, 128:15, 132:9, 133:15,         </p>	<p>           137:2, 140:8, 143:15, 146:22, 150:12, 154:10, 156:12, 158:25, 161:4, 164:17, 166:6, 168:15, 176:21, 200:1  <b>point</b> [7] - 19:18, 23:12, 27:21, 53:3, 125:20, 126:6, 190:16  <b>points</b> [1] - 194:19  <b>police</b> [3] - 91:18, 115:2, 160:17  <b>policing</b> [1] - 157:22  <b>pollution</b> [3] - 52:24, 79:14  <b>pond</b> [3] - 18:1, 41:22, 52:6  <b>Popeye's</b> [2] - 76:7, 76:9  <b>popular</b> [1] - 178:20  <b>Porter</b> [4] - 2:16, 10:8, 189:11, 190:2  <b>PORTER</b> [2] - 1:15, 189:13  <b>portion</b> [1] - 66:17  <b>position</b> [1] - 185:8  <b>positive</b> [5] - 127:23, 139:5, 140:4, 148:19, 152:19  <b>positively</b> [1] - 200:25  <b>possibility</b> [1] - 200:23  <b>possible</b> [3] - 101:22, 153:15, 194:5  <b>possibly</b> [1] - 95:24  <b>posted</b> [1] - 122:25  <b>posts</b> [1] - 122:23  <b>potential</b> [3] - 65:11, 180:9, 188:18  <b>potentially</b> [1] - 80:11  <b>pounding</b> [1] - 130:21  <b>practical</b> [2] - 197:24  <b>pray</b> [1] - 195:15  <b>prayer</b> [1] - 155:16  <b>prayers</b> [2] - 91:24, 92:2  <b>praying</b> [3] - 130:23, 131:2, 162:17  <b>precaution</b> [1] - 123:17  <b>precedent</b> [2] - 47:12, 69:5  <b>predictability</b> [1] - 152:5  <b>predominantly</b> [1] - 106:6  <b>present</b> [2] - 2:16, 159:22         </p>	<p> <b>PRESENT</b> [2] - 1:12, 1:17  <b>presentation</b> [2] - 2:25, 3:12  <b>presented</b> [1] - 151:25  <b>preserve</b> [1] - 109:5  <b>press</b> [1] - 185:23  <b>pretty</b> [6] - 25:5, 83:12, 84:21, 101:2, 158:10, 181:10  <b>prevent</b> [4] - 43:3, 89:19, 91:19, 174:9  <b>previous</b> [5] - 7:25, 15:17, 141:19, 142:11, 145:16  <b>previously</b> [2] - 68:7, 165:23  <b>price</b> [1] - 117:20  <b>prices</b> [1] - 125:14  <b>pricing</b> [1] - 126:1  <b>primarily</b> [4] - 72:21, 79:23, 125:3, 126:13  <b>primary</b> [4] - 34:16, 80:3, 125:10  <b>prime</b> [1] - 83:19  <b>priority</b> [1] - 76:17  <b>Pritchard</b> [1] - 10:17  <b>private</b> [2] - 10:20, 32:13  <b>privilege</b> [2] - 134:20, 134:24  <b>privileged</b> [1] - 134:23  <b>pro</b> [2] - 92:21, 92:22  <b>pro-Semitic</b> [1] - 92:22  <b>pro-Zion</b> [1] - 92:21  <b>problem</b> [8] - 84:22, 110:21, 113:13, 113:22, 114:2, 114:5, 143:10, 195:11, 205:23  <b>problems</b> [2] - 47:16, 153:3  <b>proceedings</b> [3] - 203:3, 208:11, 209:9  <b>Proceedings</b> [1] - 1:6  <b>process</b> [8] - 27:21, 35:6, 186:1, 193:24, 206:12, 206:14, 207:4, 207:5, 207:6  <b>processing</b> [1] - 44:23  <b>product</b> [1] - 122:5  <b>Professional</b> [5] - 30:25, 31:4, 31:24, 209:7, 209:18  <b>professional</b> [4] - 32:18, 35:1, 125:3, 141:3  <b>profit</b> [1] - 160:3  <b>profits</b> [1] - 182:18         </p>	<p> <b>progression</b> [1] - 48:13  <b>prohibiting</b> [1] - 186:20  <b>project</b> [8] - 39:2, 45:18, 63:2, 79:21, 120:9, 122:14, 142:14, 142:22, 144:22  <b>projects</b> [1] - 144:8  <b>promotes</b> [1] - 121:12  <b>promotions</b> [1] - 190:11  <b>prone</b> [1] - 125:24  <b>pronouncing</b> [1] - 82:10  <b>pronouncing</b> [1] - 100:2  <b>proper</b> [3] - 28:7, 28:13, 157:9  <b>properties</b> [8] - 33:6, 33:11, 52:10, 52:11, 70:22, 120:12, 125:5, 126:12  <b>property</b> [81] - 10:15, 10:18, 12:25, 13:9, 15:12, 15:15, 17:24, 18:2, 24:4, 24:6, 24:8, 26:25, 27:7, 27:9, 27:14, 27:22, 27:23, 28:7, 28:14, 29:12, 30:18, 31:1, 32:7, 32:10, 33:18, 38:18, 41:16, 42:5, 46:9, 49:16, 50:2, 52:21, 53:20, 59:8, 63:6, 63:7, 63:9, 63:15, 63:22, 65:20, 67:22, 73:25, 79:15, 85:17, 105:19, 108:2, 108:8, 109:3, 117:17, 117:18, 118:12, 118:14, 121:16, 125:7, 139:8, 141:6, 144:12, 145:8, 147:12, 147:14, 147:20, 147:24, 148:25, 149:21, 150:1, 150:3, 150:17, 150:20, 152:4, 152:15, 158:3, 159:10, 161:20, 172:9, 172:13, 172:16, 181:16, 183:18, 194:9, 206:16  <b>proposal</b> [1] - 113:2  <b>propose</b> [1] - 121:20  <b>proposed</b> [15] - 7:14, 2021-374         </p>
--	---	--	---	---

<p>31:23, 45:22, 49:21, 65:8, 70:10, 71:5, 71:15, 99:5, 106:18, 107:15, 107:23, 141:22, 142:10, 173:4</p> <p>proposing [1] - 112:15</p> <p>prospered [1] - 125:21</p> <p>prosperity [1] - 121:14</p> <p>protect [3] - 93:3, 99:20, 152:3</p> <p>provide [5] - 2:22, 135:11, 136:2, 148:14, 149:22</p> <p>provided [4] - 39:13, 148:21, 173:19, 173:21</p> <p>provides [2] - 17:15, 173:16</p> <p>providing [5] - 38:16, 173:21, 173:25, 174:1, 174:6</p> <p>provisions [1] - 150:4</p> <p>proximity [1] - 114:24</p> <p>Pruitt [4] - 51:10, 51:14, 54:4, 56:25</p> <p>PRUITT [2] - 51:21, 54:5</p> <p>Pub [1] - 70:25</p> <p>Public [4] - 1:10, 2:18, 39:18, 43:1</p> <p>public [30] - 2:23, 3:13, 3:16, 4:8, 7:4, 9:10, 12:2, 14:15, 24:15, 25:3, 26:22, 28:8, 29:19, 32:12, 34:1, 39:14, 43:19, 55:4, 56:6, 59:4, 60:10, 64:17, 92:17, 121:12, 179:15, 188:10, 198:15, 204:15, 205:6, 207:9</p> <p>PUD [8] - 7:9, 7:13, 38:4, 38:5, 61:6, 61:7, 61:12</p> <p>PUD's [1] - 7:10</p> <p>Pull [1] - 137:17</p> <p>pull [1] - 177:15</p> <p>pulling [1] - 168:4</p> <p>pump [2] - 41:7</p> <p>pupils [1] - 135:24</p> <p>purchase [2] - 120:14, 128:11</p> <p>purely [1] - 120:10</p> <p>purposes [3] - 179:18, 179:22, 180:1</p> <p>push [2] - 184:19, 194:20</p> <p>pushed [2] - 52:12,</p>	<p>181:7</p> <p>put [22] - 18:18, 20:3, 43:2, 45:15, 53:22, 55:15, 55:17, 66:16, 95:15, 102:19, 145:19, 150:21, 155:9, 155:14, 157:8, 159:17, 160:8, 175:2, 178:10, 181:12, 198:2, 206:11</p> <p>putting [5] - 24:7, 103:3, 125:16, 131:24, 176:8</p>	<p>76:15, 99:18, 110:25, 177:6</p> <p>rabbit [1] - 47:11</p> <p>racas [1] - 90:4</p> <p>racing [3] - 83:17, 96:20, 160:17</p> <p>racism [2] - 123:10, 180:10</p> <p>Radio [1] - 120:6</p> <p>rain [1] - 102:7</p> <p>raise [38] - 8:21, 11:11, 13:22, 16:18, 19:7, 20:15, 22:11, 28:24, 74:15, 76:19, 79:2, 82:24, 88:23, 89:8, 93:23, 97:18, 100:15, 104:5, 109:25, 111:24, 116:12, 119:18, 124:15, 127:7, 128:25, 132:17, 133:23, 137:21, 140:17, 143:21, 147:2, 151:3, 154:19, 156:19, 161:10, 164:25, 166:14, 168:24</p> <p>raised [5] - 94:11, 110:17, 172:7, 193:8, 195:15</p> <p>ramps [1] - 103:12</p> <p>Ramzy [3] - 146:23, 150:8, 178:15</p> <p>random [2] - 157:20, 157:21</p> <p>ranked [1] - 123:1</p> <p>rapidly [1] - 90:23</p> <p>rather [3] - 194:21, 207:5</p> <p>ratio [1] - 8:1</p> <p>re [1] - 87:18</p> <p>reach [1] - 52:18</p> <p>reaching [1] - 149:13</p> <p>read [3] - 6:9, 27:18, 87:15</p> <p>reads [1] - 204:1</p> <p>ready [1] - 67:18</p> <p>real [5] - 86:4, 92:11, 110:21, 115:5, 125:3, 171:13, 181:19, 189:11, 194:16</p> <p>reality [4] - 95:16, 96:3, 139:25, 198:20</p> <p>realize [1] - 85:12</p> <p>really [40] - 17:21, 18:21, 45:22, 52:14, 52:16, 58:14, 78:5, 78:7, 79:16, 81:23, 84:22, 96:3, 98:11,</p>	<p>98:23, 117:16, 118:13, 118:16, 118:23, 122:20, 139:12, 142:20, 163:18, 167:24, 174:11, 175:23, 177:17, 177:19, 181:15, 188:10, 191:15, 193:5, 194:8, 194:18, 195:8, 197:2, 199:11, 203:21, 205:24</p> <p>reapply [1] - 15:22</p> <p>rear [1] - 24:7</p> <p>reason [18] - 28:3, 33:7, 47:2, 62:25, 76:24, 113:4, 118:18, 125:10, 190:21, 193:12, 193:13, 193:24, 195:3, 197:22, 198:1, 198:19</p> <p>reasonable [4] - 68:19, 153:8, 153:21, 199:14</p> <p>reasons [10] - 59:14, 60:1, 79:22, 107:14, 120:9, 123:25, 171:6, 190:4, 197:13, 197:25</p> <p>reassure [1] - 125:15</p> <p>Rebecca [1] - 159:4</p> <p>rebleach [1] - 77:3</p> <p>rebuttal [8] - 18:13, 39:24, 42:13, 51:9, 55:5, 78:16, 154:3, 170:25</p> <p>receive [1] - 93:8</p> <p>received [1] - 107:4</p> <p>recent [1] - 70:18</p> <p>recently [3] - 13:5, 68:10, 105:25</p> <p>recess [1] - 115:22</p> <p>Recitation [1] - 2:12</p> <p>recite [1] - 2:9</p> <p>reclean [1] - 77:3</p> <p>recommend [4] - 32:3, 37:14, 59:15, 204:12</p> <p>recommendation [8] - 11:2, 13:14, 16:1, 27:17, 32:20, 50:5, 68:20, 69:8</p> <p>recommendations [4] - 3:23, 3:24, 4:3, 6:23</p> <p>recommended [8] - 13:4, 80:21, 105:21, 107:25, 172:3, 172:6</p> <p>recommending [4] -</p>	<p>8:6, 14:8, 38:19, 61:22</p> <p>recommends [3] - 31:18, 105:23, 107:12</p> <p>reconsider [1] - 157:11</p> <p>reconvene [1] - 115:20</p> <p>record [37] - 2:13, 3:1, 3:13, 8:11, 9:5, 21:1, 21:11, 22:3, 27:18, 28:19, 40:6, 51:13, 54:17, 54:23, 69:15, 74:9, 86:17, 92:8, 100:5, 108:5, 108:7, 109:20, 111:19, 116:8, 119:1, 119:15, 124:9, 128:5, 132:12, 137:7, 140:10, 150:15, 154:12, 166:8, 168:17, 197:10, 209:10</p> <p>recreational [1] - 18:4</p> <p>recuse [1] - 9:19</p> <p>recusing [1] - 10:9</p> <p>Red [2] - 70:22, 183:21</p> <p>redevelopment [1] - 104:18</p> <p>reduce [3] - 15:20, 68:22, 69:1</p> <p>reduced [1] - 80:23</p> <p>reduction [1] - 7:11</p> <p>REED [3] - 1:19, 30:18, 36:12</p> <p>Reed [4] - 30:17, 32:4, 32:22, 37:15</p> <p>reference [2] - 99:12, 99:19</p> <p>referenced [2] - 128:15, 134:15</p> <p>references [1] - 105:24</p> <p>referencing [1] - 34:22</p> <p>referring [1] - 46:17</p> <p>reflect [1] - 2:14</p> <p>reflects [1] - 32:1</p> <p>refusal [1] - 191:24</p> <p>regarding [8] - 4:11, 21:19, 23:17, 125:19, 148:20, 172:14</p> <p>regardless [2] - 165:16, 204:2</p> <p>regional [1] - 36:21</p> <p>regular [1] - 184:25</p> <p>regularly [1] - 122:8</p> <p>regulate [1] - 39:5</p>
<b>Q</b>				
<p>quadrant [1] - 36:14</p> <p>quarter [8] - 7:19, 7:20, 30:22, 36:25, 57:17, 122:21</p> <p>quarter-acre [1] - 30:22</p> <p>quarter-mile [1] - 36:25</p> <p>quarters [1] - 102:15</p> <p>quasi [1] - 3:18</p> <p>quasi-judicial [1] - 3:18</p> <p>Queens [1] - 153:18</p> <p>questions [20] - 4:11, 8:17, 11:21, 14:9, 18:7, 33:20, 39:21, 42:7, 50:20, 52:2, 52:13, 54:2, 55:24, 57:2, 73:23, 74:2, 77:10, 126:20, 176:12, 187:9</p> <p>quick [8] - 24:24, 86:4, 112:12, 115:5, 129:14, 194:15</p> <p>quick-service [1] - 194:15</p> <p>quickly [3] - 51:24, 92:11, 197:15</p> <p>quiet [12] - 17:17, 87:12, 90:5, 96:24, 129:23, 130:6, 130:9, 130:10, 140:2, 185:10, 195:15, 195:16</p> <p>quite [5] - 87:9, 87:10, 87:11, 128:9, 185:25</p> <p>quorum [1] - 2:14</p> <p>quota [2] - 68:3, 182:11</p>				
<b>R</b>				
<p>rabbis [5] - 72:6,</p>				

<p>reiterate [1] - 159:7          reject [1] - 42:6          rejected [1] - 148:7          related [2] - 34:15, 34:25          relates [1] - 174:25          relationship [1] - 135:3          relationships [1] - 127:22          relatives [1] - 91:16          relief [2] - 25:23, 28:4          religions [1] - 90:4          religious [3] - 69:3, 70:22, 82:2, 93:2, 98:15, 108:11, 191:23, 195:12, 197:21          religiously [2] - 92:20, 101:22          relocation [1] - 125:24          remain [2] - 2:10, 123:16          remarkable [3] - 171:5, 171:22, 197:13          remarks [2] - 101:11, 102:9          remember [4] - 78:4, 91:8, 192:14, 192:24          remind [1] - 82:13          remove [3] - 179:10, 179:19, 197:17          removed [2] - 44:24, 47:1          removing [3] - 47:19, 47:25, 48:16          renovate [2] - 33:15, 144:18          renovating [1] - 144:25          rent [3] - 85:12, 85:15, 148:3          renting [1] - 148:6          repairs [1] - 13:1          repeat [1] - 98:8          report [25] - 14:7, 18:6, 24:2, 29:23, 30:2, 31:21, 38:22, 44:12, 44:16, 48:21, 48:25, 50:4, 64:21, 65:1, 70:18, 71:12, 105:23, 107:12, 121:11, 141:7, 141:15, 142:7, 142:18, 143:4, 209:9          Reporter [2] - 209:8, 209:18          reporter [3] - 3:8, 18:23, 89:23</p>	<p>REPORTER [112] - 8:21, 8:24, 9:4, 11:11, 11:14, 11:19, 13:22, 13:25, 14:5, 16:18, 16:21, 17:1, 19:7, 19:10, 19:15, 20:15, 20:18, 20:23, 22:11, 22:14, 22:19, 28:24, 29:2, 29:7, 74:15, 74:18, 74:23, 79:2, 79:5, 79:10, 82:24, 83:2, 83:7, 86:23, 87:1, 87:6, 89:8, 89:11, 89:16, 93:23, 94:1, 97:18, 97:21, 98:1, 100:15, 100:18, 100:23, 104:5, 104:8, 104:13, 109:13, 109:25, 110:3, 110:8, 111:24, 112:2, 112:7, 116:12, 116:15, 116:20, 119:18, 119:21, 120:1, 124:15, 124:18, 124:23, 127:7, 127:10, 127:15, 128:25, 129:3, 129:8, 132:17, 132:20, 132:25, 133:23, 134:1, 134:6, 137:21, 137:24, 138:4, 140:17, 140:20, 140:25, 143:21, 143:24, 144:4, 147:2, 147:5, 147:10, 151:3, 151:6, 151:11, 154:19, 154:22, 155:2, 156:19, 156:22, 157:2, 161:10, 161:13, 161:18, 164:25, 165:3, 165:8, 166:14, 166:17, 166:22, 168:24, 169:2, 169:7, 209:1          Representative [1] - 2:18          representing [4] - 33:1, 69:23, 125:4, 141:4          reputation [1] - 148:12          request [12] - 10:23, 15:14, 30:23, 32:2, 32:11, 50:3, 68:18, 87:22, 124:1, 175:5,</p>	<p>199:18, 200:23          require [2] - 105:14, 115:2          required [3] - 29:13, 70:9, 73:16, 173:17, 173:20, 173:22, 173:25, 174:2          requirement [2] - 28:5, 183:3          requirements [5] - 25:23, 25:25, 43:10, 52:19, 105:15          requires [1] - 7:13          resanitize [1] - 77:3          resent [1] - 197:4          reservations [2] - 190:5, 190:15          reserves [1] - 201:15          residences [1] - 206:7          resident [5] - 104:1, 112:9, 120:4, 133:3, 170:16          resident's [1] - 48:11          residential [24] - 17:16, 37:13, 38:18, 49:20, 49:22, 62:1, 63:21, 84:8, 94:14, 95:1, 95:7, 95:12, 108:13, 108:17, 109:2, 121:21, 139:3, 141:15, 141:18, 172:13, 190:17, 205:18, 206:4          Residential [9] - 30:24, 30:25, 31:4, 31:10, 31:24, 32:7, 35:3, 36:17          residents [5] - 108:12, 121:1, 121:2, 126:15, 126:19          resolve [1] - 204:11          Resources [1] - 50:7          resources [1] - 91:18          respect [9] - 47:13, 77:19, 90:6, 98:6, 111:6, 118:7, 183:11, 193:9, 194:4          respectable [1] - 194:22          respectful [2] - 82:15, 139:3          respond [1] - 18:7          response [54] - 5:3, 5:9, 6:10, 9:8, 9:18, 9:24, 10:6, 11:25, 12:10, 12:16, 14:13, 14:23, 15:4, 23:21, 24:13, 26:5, 26:11, 29:17, 30:4, 30:10,</p>	<p>33:24, 35:11, 35:17, 35:25, 36:6, 43:17, 44:2, 44:8, 49:2, 49:8, 55:2, 56:4, 58:21, 59:2, 60:8, 60:18, 60:24, 64:15, 67:5, 67:11, 136:20, 141:8, 170:23, 196:25, 201:22, 202:3, 202:13, 202:19, 204:23, 205:4, 207:17, 207:23, 208:4, 208:7          responsibilities [2] - 121:8, 130:12          responsibility [1] - 130:14          responsive [2] - 171:19, 201:5          rest [3] - 51:22, 99:18, 189:2          restaurant [58] - 68:2, 68:5, 68:14, 70:4, 70:23, 71:19, 71:24, 75:7, 75:15, 76:12, 81:2, 81:3, 81:11, 84:20, 94:14, 95:19, 96:14, 103:5, 106:6, 106:11, 110:16, 110:20, 112:21, 113:23, 122:24, 125:17, 126:18, 128:6, 135:8, 136:2, 142:10, 142:11, 145:16, 145:17, 148:11, 149:13, 149:19, 149:22, 151:19, 159:17, 159:18, 160:10, 163:10, 172:19, 173:8, 173:13, 178:6, 178:14, 178:19, 179:1, 182:24, 183:13, 183:20, 183:23, 185:1, 186:21, 186:24, 194:16          restaurant/bar [2] - 95:5, 162:11          restaurants [13] - 70:11, 70:14, 70:19, 102:24, 102:25, 114:16, 125:22, 131:5, 131:6, 147:16, 152:9, 167:6, 184:25          restore [1] - 206:15          restored [1] - 207:6          restrictions [1] - 206:19</p>	<p>result [1] - 152:19          resulting [1] - 27:14          results [1] - 31:16          resumes [1] - 69:19          retail [12] - 37:11, 38:6, 63:16, 65:7, 65:10, 65:12, 67:24, 106:5, 107:15, 147:19, 150:2, 206:25          retain [1] - 3:14          retention [2] - 17:25, 52:6          retroactively [1] - 8:19          return [1] - 40:25          reuse [3] - 145:23, 146:16, 205:21          review [1] - 43:11          reviewed [5] - 8:4, 13:3, 49:24, 61:14, 141:9          reviewing [1] - 142:3          revise [1] - 7:10          revised [5] - 62:4, 63:25, 72:23, 73:9, 146:4          revision [2] - 31:19, 142:2          revving [1] - 196:18          rewrite [1] - 105:1          rezone [3] - 32:6, 32:16, 49:17          rezoned [2] - 13:9, 206:8          rezoning [12] - 32:5, 34:12, 34:20, 35:7, 38:5, 49:15, 54:18, 59:7, 61:5, 71:9, 197:6, 207:5          rezonings [2] - 3:22, 205:12          Richard [1] - 154:13          rid [2] - 63:14, 172:22          ride [1] - 123:14          ridiculous [1] - 53:3          right-in [1] - 39:16          right-in/right-out [2] - 42:23, 42:24          right-out-only [1] - 39:17          rights [2] - 93:3, 130:12          rip [1] - 53:23          rise [1] - 123:12          rising [1] - 90:23          river [1] - 57:23          River [1] - 41:12          Riverplace [5] - 33:1, 69:17, 69:22, 171:2, 206:3          8021-374</p>
--	---	---	---	--

<p>Riverside [1] - 153:17 RLD-100 [2] - 54:20, 56:18 RLD-100-A [2] - 49:19, 59:11 RLD-90 [1] - 199:11 road [11] - 22:24, 28:4, 28:7, 28:8, 28:10, 106:16, 185:14, 185:19, 186:2, 186:17, 189:4 Road [70] - 5:18, 5:19, 5:20, 5:21, 6:4, 6:5, 6:15, 6:19, 6:21, 6:22, 10:17, 15:9, 15:12, 17:20, 21:19, 24:9, 27:1, 36:15, 37:8, 38:7, 38:8, 39:5, 40:20, 40:21, 40:24, 40:25, 41:1, 41:5, 41:15, 41:22, 42:3, 49:13, 49:17, 51:1, 51:17, 54:12, 59:5, 59:9, 61:2, 61:17, 67:24, 72:21, 73:3, 78:24, 84:12, 102:15, 103:9, 103:11, 106:15, 108:3, 108:9, 113:21, 113:24, 120:4, 120:11, 121:3, 121:15, 122:6, 125:7, 137:11, 141:20, 142:16, 206:6 roads [4] - 37:10, 42:2, 115:4, 181:18 roadways [2] - 38:15, 63:19 Robbie [2] - 137:1, 137:10 ROBBIE [5] - 137:16, 137:19, 137:23, 138:3, 138:5 Rogero [1] - 208:5 roll [1] - 195:4 rolling [1] - 198:17 Ron [1] - 33:9 roof [1] - 144:19 Room [1] - 1:8 room [7] - 3:6, 4:14, 5:12, 10:25, 18:2, 159:23, 161:24 row [3] - 6:24, 203:8, 206:3 RPI [1] - 31:12 RR [5] - 38:5, 49:18, 54:19, 56:17, 59:11 RR-Acre [4] - 38:5, 49:18, 56:17, 59:11</p>	<p>rules [1] - 164:12 run [4] - 41:4, 148:11, 186:1, 194:21 running [5] - 59:23, 68:13, 101:8, 101:19, 198:9 rural [2] - 52:22 rush [1] - 128:18</p> <p><b>S</b></p> <p>sabbath [3] - 90:9, 98:14, 108:13 Sabbath [4] - 155:16, 155:23, 198:1, 199:6 safe [11] - 78:8, 81:7, 81:16, 83:12, 108:23, 117:8, 118:11, 135:2, 135:5, 136:1, 186:17 safely [2] - 108:13, 122:2 safer [1] - 186:6 safety [17] - 76:16, 79:16, 80:5, 81:21, 83:21, 90:6, 99:1, 99:11, 121:13, 123:5, 142:8, 165:24, 170:17, 185:16, 185:18, 186:15, 187:7 sake [2] - 4:17, 18:22 sale [3] - 70:1, 174:11, 175:13, 176:9, 182:15, 182:18 Salem [1] - 33:10 sales [11] - 3:4, 65:13, 67:25, 106:5, 106:8, 107:16, 175:10, 182:25, 189:18, 189:19, 191:13 SALES [1] - 1:21 Sales [1] - 159:1 Salisbury [1] - 5:18 San [51] - 6:15, 15:13, 16:4, 23:7, 67:17, 67:22, 67:23, 68:18, 70:2, 70:15, 72:10, 72:13, 72:23, 73:5, 73:6, 73:15, 75:21, 83:16, 94:16, 96:15, 96:22, 103:2, 106:11, 108:13, 117:2, 120:10, 121:24, 123:22, 125:8, 139:6, 144:11, 149:7, 149:11, 157:5, 157:13, 159:19, 160:14, 163:3,</p>	<p>163:15, 163:17, 169:21, 169:23, 171:11, 178:1, 181:16, 181:19, 192:24, 194:10, 196:9, 198:12, 196:17 sanctity [1] - 156:1 Sandberg [2] - 86:14, 86:19 SANDBERG [3] - 86:25, 87:5, 87:8, 92:7, 92:12, 92:14 Sandy [1] - 181:1 SANTANA [1] - 1:20 Sarah [2] - 78:13, 78:23 sat [3] - 13:12, 155:3, 205:16 Saturday [10] - 82:3, 98:20, 101:23, 118:4, 123:18, 130:25, 131:19, 155:15, 155:18, 162:16 Saturdays [4] - 102:7, 112:14, 162:23, 185:23 save [3] - 66:17, 67:20, 125:1 saw [3] - 56:16, 56:17, 75:6, 76:5, 76:6, 76:7, 131:5, 171:13 scale [1] - 17:9 scarier [1] - 198:18 scenario [1] - 98:16 schedule [1] - 170:11 scheduling [1] - 4:18 school [35] - 10:20, 10:25, 15:14, 15:15, 15:17, 15:24, 17:5, 21:19, 24:7, 68:25, 76:20, 76:21, 78:4, 80:6, 81:25, 82:1, 86:1, 94:22, 105:16, 105:22, 107:25, 117:2, 117:4, 117:5, 123:7, 123:15, 130:18, 134:14, 135:1, 135:2, 139:9, 188:8, 192:13 Schools [1] - 2:18 schools [5] - 53:11, 80:7, 99:7, 99:8, 120:17 Scott [2] - 23:4, 125:7 scream [1] - 118:10 screamed [2] - 163:16, 169:21 screaching [1] - 96:20</p>	<p>se [1] - 112:19 seafood [1] - 70:23 season [1] - 155:19 seat [1] - 176:23 seating [20] - 68:2, 72:20, 73:1, 107:18, 107:20, 120:25, 141:22, 142:13, 145:12, 145:14, 153:5, 158:12, 175:8, 178:2, 180:2, 184:21, 187:6, 196:8, 196:17, 197:18 seatings [1] - 153:7 seats [4] - 68:6, 68:15, 73:15, 182:20 second [64] - 4:24, 5:1, 5:5, 9:14, 9:16, 10:1, 12:6, 12:8, 12:12, 14:19, 14:21, 14:25, 24:18, 24:20, 26:7, 28:1, 29:24, 30:1, 30:6, 34:5, 34:7, 35:13, 35:21, 35:23, 38:2, 43:23, 43:25, 44:4, 44:13, 44:15, 45:5, 48:22, 48:24, 49:4, 56:10, 56:12, 58:23, 60:14, 60:16, 60:20, 64:23, 64:25, 67:7, 100:11, 122:21, 124:14, 142:7, 146:25, 179:21, 179:24, 180:19, 201:10, 201:12, 201:18, 201:24, 202:8, 202:10, 202:15, 204:19, 204:21, 204:25, 207:13, 207:15, 207:19 secondary [1] - 105:15 seconds [1] - 23:8 secret's [1] - 76:3 SECRETARY [2] - 69:13, 69:18 Secretary [2] - 1:13, 69:11 Section [5] - 44:22, 44:25, 46:16, 120:18, 131:23, 148:21 section [1] - 45:3 sections [1] - 148:23 secure [1] - 91:11 security [13] - 72:12, 76:16, 83:22, 95:20, 95:21, 96:2, 98:12,</p>	<p>99:3, 115:5, 115:10, 115:14, 118:5, 160:7 see [48] - 4:12, 5:14, 23:10, 41:18, 47:1, 47:2, 48:11, 56:18, 64:3, 65:17, 66:25, 75:9, 78:2, 80:24, 81:1, 81:6, 81:12, 84:18, 85:19, 101:16, 102:1, 102:11, 110:25, 111:1, 115:12, 118:3, 125:16, 126:10, 135:12, 136:3, 139:9, 142:15, 142:23, 144:22, 153:20, 157:5, 160:10, 170:8, 170:13, 176:10, 178:11, 180:17, 183:14, 188:2, 191:8, 195:12, 202:22, 205:12 seeing [35] - 5:4, 6:11, 9:9, 9:25, 12:1, 12:11, 14:14, 14:24, 24:14, 26:6, 29:18, 30:5, 33:25, 35:12, 36:1, 43:18, 44:3, 49:3, 55:3, 56:5, 58:22, 60:9, 60:19, 64:16, 67:6, 80:13, 101:7, 160:11, 170:24, 201:23, 202:14, 204:14, 204:24, 207:8, 207:18 seeking [13] - 13:1, 32:6, 45:25, 49:17, 59:10, 68:22, 69:1, 71:6, 71:9, 105:20, 175:9, 175:11, 203:7 seeks [1] - 7:9 seem [1] - 121:16 sees [2] - 91:1, 91:3 selected [2] - 147:17, 148:10 selective [1] - 147:25 self [1] - 152:13 sell [3] - 63:10, 75:9, 85:14 sellers [1] - 125:4 Semitic [3] - 92:22, 197:8 Semitism [3] - 123:8, 171:17, 197:9 send [1] - 73:10 sense [10] - 56:23, 57:9, 58:6, 139:13,</p>
---	---	--	---	---

<p>146:15, 146:17,          187:22, 187:24,          189:23, 199:12          sent [1] - 126:9          sentiment [1] - 197:9          separate [2] - 27:20,          142:5          separated [1] - 149:5          seriously [1] - 195:8          serve [5] - 105:2,          105:16, 138:22,          173:12, 183:9          served [4] - 79:23,          79:24, 104:16          serves [4] - 31:14,          37:11, 138:21, 173:9          service [30] - 13:1,          13:6, 55:12, 67:25,          68:8, 70:1, 70:12,          71:18, 75:7, 75:15,          75:21, 105:4, 106:5,          107:10, 107:16,          107:17, 109:8,          149:23, 150:5,          174:8, 174:11,          174:19, 175:7,          175:14, 176:9,          179:20, 185:5,          187:23, 191:13,          194:15          Services [3] - 33:2,          33:4, 33:13          serving [4] - 138:20,          148:13, 173:13,          206:24          set [4] - 98:23, 99:9,          136:25, 176:16          setbacks [1] - 203:16          setting [2] - 47:12,          158:1          seven [4] - 10:24,          85:10, 129:14,          170:10          Seventy [1] - 130:6          seventy [1] - 130:6          seventy-three [1] -          130:6          Seventy-two [1] -          130:6          several [5] - 18:11,          22:22, 52:25, 93:8,          99:14          severely [1] - 121:23          sewage [1] - 153:17          sewer [3] - 41:2, 41:4,          53:23          shall [2] - 46:9, 125:23          shape [2] - 127:23,          144:18          share [2] - 133:1,          133:7          sharp [1] - 199:15          shell [4] - 66:14,          66:15, 66:20          Sheriff's [1] - 107:10          Sherman [4] - 133:14,          133:18, 134:8,          171:11          SHERMAN [5] -          133:25, 134:5,          134:7, 135:20,          136:14          shift [1] - 73:13          shifted [1] - 73:4          shifting [1] - 95:18          shine [1] - 102:8          shirt [2] - 26:16,          169:24          shocked [2] - 58:7,          58:11          shooting [1] - 195:13          shop [1] - 188:7          shopping [8] - 36:24,          39:3, 45:23, 113:3,          113:4, 147:16,          149:10, 157:6          short [2] - 75:14,          169:8          shortly [1] - 2:19          shots [1] - 153:10          Show [1] - 46:5          show [3] - 24:3, 46:5,          123:21          shows [1] - 123:2          shul [2] - 131:1, 131:2          shutdown [1] - 77:1          shutting [1] - 5:23          sic [8] - 17:6, 41:13,          42:3, 51:10, 59:8,          79:25, 103:8,          104:17, 132:8          sick [1] - 88:15          side [8] - 41:5, 41:10,          50:2, 121:4, 121:5,          121:15, 189:20,          189:21          sides [3] - 181:19,          181:20, 197:2          sidewalk [8] - 120:22,          121:3, 141:25,          142:6, 175:17          sidewalks [1] - 142:25          sight [1] - 149:7          sign [2] - 155:4,          187:24          signaled [1] - 36:18          signalized [2] - 37:9,          194:9          signatures [1] -          101:12          significant [1] - 146:4          signs [2] - 145:3,          178:10          silence [1] - 2:11          silent [1] - 2:7          Silhouette [2] - 74:11,          83:20          silk [1] - 181:9          silver [1] - 188:5          similar [10] - 62:6,          64:3, 68:9, 71:4,          71:22, 113:22,          142:10, 149:16,          149:17, 183:22          simply [1] - 32:1          sincerely [1] - 174:3          single [2] - 82:2,          101:13          sit [3] - 89:18, 188:3,          193:23          site [33] - 10:24, 24:3,          31:6, 31:9, 34:15,          34:25, 36:13, 36:20,          37:1, 37:6, 38:13,          39:10, 39:16, 45:17,          47:21, 61:20, 62:5,          63:25, 70:2, 70:3,          70:8, 72:23, 73:9,          141:11, 142:19,          157:12, 158:2,          158:16, 173:16,          173:19, 174:5,          189:16, 189:19          sitting [5] - 117:22,          155:10, 174:12,          174:13, 175:16          situated [1] - 31:6          situation [4] - 185:11,          191:25, 197:23,          199:12          six [8] - 7:22, 117:22,          133:3, 140:2, 159:19          six-lane [2] - 159:19          size [7] - 15:20, 52:3,          52:7, 57:21, 63:13,          63:16, 113:22          skip [1] - 108:14          slang [1] - 194:16          sleep [2] - 81:14,          145:5          sleeping [1] - 194:13          Sleiman [1] - 62:16          slide [2] - 196:8,          196:10          slightly [1] - 194:2          slow [3] - 104:20,          122:10, 194:2          small [1] - 59:12          smiling [1] - 119:12          smokers [1] - 122:14          smoking [1] - 185:6          Smolensky [2] -          97:11, 97:14          SMOLENSKY [3] -          97:20, 97:25, 98:6          soccer [3] - 76:2,          138:16, 139:17          social [1] - 90:20          society [1] - 180:15          soft [1] - 137:13          sold [1] - 125:5          solid [1] - 27:23          someone [10] - 58:11,          66:14, 79:19, 79:20,          90:17, 136:7, 179:2,          183:17, 198:18,          206:9          someplace [1] - 75:25          sometime [1] - 101:25          sometimes [3] - 71:7,          84:5, 101:17          somewhat [2] -          129:23, 133:2          somewhere [2] -          75:19, 205:15          sons [1] - 123:14          sooner [1] - 66:21          sorriest [2] - 23:6          sorry [13] - 30:16,          46:2, 55:4, 65:24,          66:2, 68:25, 100:13,          108:6, 135:18,          154:7, 164:4,          164:11, 200:7          sort [5] - 65:15,          155:12, 180:11,          181:18, 197:4          sought [1] - 61:6          sound [2] - 177:21,          196:14          sounds [2] - 80:5,          96:10          Soutel [3] - 6:13,          10:16, 11:24          South [3] - 6:19,          61:18, 154:14          south [8] - 31:9,          36:25, 37:7, 41:9,          63:21, 189:21          southbound [3] -          40:25, 41:1, 43:3          southern [1] - 138:10          space [5] - 24:5,          66:18, 117:19,          117:21          spaces [12] - 7:14,          7:17, 7:18, 7:22, 8:2,          130:7, 131:9, 153:6,          162:4, 173:16,          173:18          speaker [5] - 18:10,          39:23, 51:8, 78:14,          100:25          speaker's [10] - 3:3,          3:7, 3:12, 21:22,          23:17, 154:6, 156:9,          156:11, 158:23,          164:14          speakers [7] - 3:1,          18:11, 21:14, 62:22,          171:12, 174:16,          178:1          speakers's [1] - 82:14          speaking [2] - 54:20,          157:4          speaks [1] - 2:23          specific [4] - 4:11,          99:9, 125:19, 126:14          specifically [8] - 4:4,          68:23, 70:18, 96:14,          120:16, 182:6          Speedway [2] - 158:8,          193:1          spell [3] - 22:6, 116:5,          154:15          spend [3] - 88:6,          151:22, 162:15          spending [1] - 187:14          spent [1] - 124:25          Spider [2] - 70:25,          161:22          spills [4] - 106:13,          106:15, 108:3, 108:9          spinning [1] - 194:18          spirit [2] - 153:11,          176:17          split [4] - 27:20, 27:24,          28:8, 76:7          spoken [3] - 96:9,          137:13, 164:13          sponsors [2] - 33:7,          33:8          Sports [8] - 69:23,          71:16, 120:6,          147:12, 147:18,          148:10, 148:18,          149:25          sports [50] - 76:11,          77:9, 87:23, 88:4,          88:7, 88:11, 88:18,          94:21, 95:9, 102:12,          102:14, 106:18,          107:5, 107:20,          108:15, 108:22,          108:24, 112:16,          112:24, 112:25,          113:16, 120:6,          120:20, 121:12,          122:17, 123:2,          127:19, 128:24          202-123-74</p>	<p>146:15, 146:17,          187:22, 187:24,          189:23, 199:12          sent [1] - 126:9          sentiment [1] - 197:9          separate [2] - 27:20,          142:5          separated [1] - 149:5          seriously [1] - 195:8          serve [5] - 105:2,          105:16, 138:22,          173:12, 183:9          served [4] - 79:23,          79:24, 104:16          serves [4] - 31:14,          37:11, 138:21, 173:9          service [30] - 13:1,          13:6, 55:12, 67:25,          68:8, 70:1, 70:12,          71:18, 75:7, 75:15,          75:21, 105:4, 106:5,          107:10, 107:16,          107:17, 109:8,          149:23, 150:5,          174:8, 174:11,          174:19, 175:7,          175:14, 176:9,          179:20, 185:5,          187:23, 191:13,          194:15          Services [3] - 33:2,          33:4, 33:13          serving [4] - 138:20,          148:13, 173:13,          206:24          set [4] - 98:23, 99:9,          136:25, 176:16          setbacks [1] - 203:16          setting [2] - 47:12,          158:1          seven [4] - 10:24,          85:10, 129:14,          170:10          Seventy [1] - 130:6          seventy [1] - 130:6          seventy-three [1] -          130:6          Seventy-two [1] -          130:6          several [5] - 18:11,          22:22, 52:25, 93:8,          99:14          severely [1] - 121:23          sewage [1] - 153:17          sewer [3] - 41:2, 41:4,          53:23          shall [2] - 46:9, 125:23          shape [2] - 127:23,          144:18          share [2] - 133:1,          133:7          sharp [1] - 199:15          shell [4] - 66:14,          66:15, 66:20          Sheriff's [1] - 107:10          Sherman [4] - 133:14,          133:18, 134:8,          171:11          SHERMAN [5] -          133:25, 134:5,          134:7, 135:20,          136:14          shift [1] - 73:13          shifted [1] - 73:4          shifting [1] - 95:18          shine [1] - 102:8          shirt [2] - 26:16,          169:24          shocked [2] - 58:7,          58:11          shooting [1] - 195:13          shop [1] - 188:7          shopping [8] - 36:24,          39:3, 45:23, 113:3,          113:4, 147:16,          149:10, 157:6          short [2] - 75:14,          169:8          shortly [1] - 2:19          shots [1] - 153:10          Show [1] - 46:5          show [3] - 24:3, 46:5,          123:21          shows [1] - 123:2          shul [2] - 131:1, 131:2          shutdown [1] - 77:1          shutting [1] - 5:23          sic [8] - 17:6, 41:13,          42:3, 51:10, 59:8,          79:25, 103:8,          104:17, 132:8          sick [1] - 88:15          side [8] - 41:5, 41:10,          50:2, 121:4, 121:5,          121:15, 189:20,          189:21          sides [3] - 181:19,          181:20, 197:2          sidewalk [8] - 120:22,          121:3, 141:25,          142:6, 175:17          sidewalks [1] - 142:25          sight [1] - 149:7          sign [2] - 155:4,          187:24          signaled [1] - 36:18          signalized [2] - 37:9,          194:9          signatures [1] -          101:12          significant [1] - 146:4          signs [2] - 145:3,          178:10          silence [1] - 2:11          silent [1] - 2:7          Silhouette [2] - 74:11,          83:20          silk [1] - 181:9          silver [1] - 188:5          similar [10] - 62:6,          64:3, 68:9, 71:4,          71:22, 113:22,          142:10, 149:16,          149:17, 183:22          simply [1] - 32:1          sincerely [1] - 174:3          single [2] - 82:2,          101:13          sit [3] - 89:18, 188:3,          193:23          site [33] - 10:24, 24:3,          31:6, 31:9, 34:15,          34:25, 36:13, 36:20,          37:1, 37:6, 38:13,          39:10, 39:16, 45:17,          47:21, 61:20, 62:5,          63:25, 70:2, 70:3,          70:8, 72:23, 73:9,          141:11, 142:19,          157:12, 158:2,          158:16, 173:16,          173:19, 174:5,          189:16, 189:19          sitting [5] - 117:22,          155:10, 174:12,          174:13, 175:16          situated [1] - 31:6          situation [4] - 185:11,          191:25, 197:23,          199:12          six [8] - 7:22, 117:22,          133:3, 140:2, 159:19          six-lane [2] - 159:19          size [7] - 15:20, 52:3,          52:7, 57:21, 63:13,          63:16, 113:22          skip [1] - 108:14          slang [1] - 194:16          sleep [2] - 81:14,          145:5          sleeping [1] - 194:13          Sleiman [1] - 62:16          slide [2] - 196:8,          196:10          slightly [1] - 194:2          slow [3] - 104:20,          122:10, 194:2          small [1] - 59:12          smiling [1] - 119:12          smokers [1] - 122:14          smoking [1] - 185:6          Smolensky [2] -          97:11, 97:14          SMOLENSKY [3] -          97:20, 97:25, 98:6          soccer [3] - 76:2,          138:16, 139:17          social [1] - 90:20          society [1] - 180:15          soft [1] - 137:13          sold [1] - 125:5          solid [1] - 27:23          someone [10] - 58:11,          66:14, 79:19, 79:20,          90:17, 136:7, 179:2,          183:17, 198:18,          206:9          someplace [1] - 75:25          sometime [1] - 101:25          sometimes [3] - 71:7,          84:5, 101:17          somewhat [2] -          129:23, 133:2          somewhere [2] -          75:19, 205:15          sons [1] - 123:14          sooner [1] - 66:21          sorriest [2] - 23:6          sorry [13] - 30:16,          46:2, 55:4, 65:24,          66:2, 68:25, 100:13,          108:6, 135:18,          154:7, 164:4,          164:11, 200:7          sort [5] - 65:15,          155:12, 180:11,          181:18, 197:4          sought [1] - 61:6          sound [2] - 177:21,          196:14          sounds [2] - 80:5,          96:10          Soutel [3] - 6:13,          10:16, 11:24          South [3] - 6:19,          61:18, 154:14          south [8] - 31:9,          36:25, 37:7, 41:9,          63:21, 189:21          southbound [3] -          40:25, 41:1, 43:3          southern [1] - 138:10          space [5] - 24:5,          66:18, 117:19,          117:21          spaces [12] - 7:14,          7:17, 7:18, 7:22, 8:2,          130:7, 131:9, 153:6,          162:4, 173:16,          173:18          speaker [5] - 18:10,          39:23, 51:8, 78:14,          100:25          speaker's [10] - 3:3,          3:7, 3:12, 21:22,          23:17, 154:6, 156:9,          156:11, 158:23,          164:14          speakers [7] - 3:1,          18:11, 21:14, 62:22,          171:12, 174:16,          178:1          speakers's [1] - 82:14          speaking [2] - 54:20,          157:4          speaks [1] - 2:23          specific [4] - 4:11,          99:9, 125:19, 126:14          specifically [8] - 4:4,          68:23, 70:18, 96:14,          120:16, 182:6          Speedway [2] - 158:8,          193:1          spell [3] - 22:6, 116:5,          154:15          spend [3] - 88:6,          151:22, 162:15          spending [1] - 187:14          spent [1] - 124:25          Spider [2] - 70:25,          161:22          spills [4] - 106:13,          106:15, 108:3, 108:9          spinning [1] - 194:18          spirit [2] - 153:11,          176:17          split [4] - 27:20, 27:24,          28:8, 76:7          spoken [3] - 96:9,          137:13, 164:13          sponsors [2] - 33:7,          33:8          Sports [8] - 69:23,          71:16, 120:6,          147:12, 147:18,          148:10, 148:18,          149:25          sports [50] - 76:11,          77:9, 87:23, 88:4,          88:7, 88:11, 88:18,          94:21, 95:9, 102:12,          102:14, 106:18,          107:5, 107:20,          108:15, 108:22,          108:24, 112:16,          112:24, 112:25,          113:16, 120:6,          120:20, 121:12,          122:17, 123:2,          127:19, 128:24          202-123-74</p>	<p>146:15, 146:17,          187:22, 187:24,          189:23, 199:12          sent [1] - 126:9          sentiment [1] - 197:9          separate [2] - 27:20,          142:5          separated [1] - 149:5          seriously [1] - 195:8          serve [5] - 105:2,          105:16, 138:22,          173:12, 183:9          served [4] - 79:23,          79:24, 104:16          serves [4] - 31:14,          37:11, 138:21, 173:9          service [30] - 13:1,          13:6, 55:12, 67:25,          68:8, 70:1, 70:12,          71:18, 75:7, 75:15,          75:21, 105:4, 106:5,          107:10, 107:16,          107:17, 109:8,          149:23, 150:5,          174:8, 174:11,          174:19, 175:7,          175:14, 176:9,          179:20, 185:5,          187:23, 191:13,          194:15          Services [3] - 33:2,          33:4, 33:13          serving [4] - 138:20,          148:13, 173:13,          206:24          set [4] - 98:23, 99:9,          136:25, 176:16          setbacks [1] - 203:16          setting [2] - 47:12,          158:1          seven [4] - 10:24,          85:10, 129:14,          170:10          Seventy [1] - 130:6          seventy [1] - 130:6          seventy-three [1] -          130:6          Seventy-two [1] -          130:6          several [5] - 18:11,          22:22, 52:25, 93:8,          99:14          severely [1] - 121:23          sewage [1] - 153:17          sewer [3] - 41:2, 41:4,          53:23          shall [2] - 46:9, 125:23          shape [2] - 127:23,          144:18          share [2] - 133:1,          133:7          sharp [1] - 199:15          shell [4] - 66:14,          66:15, 66:20          Sheriff's [1] - 107:10          Sherman [4] - 133:14,          133:18, 134:8,          171:11          SHERMAN [5] -          133:25, 134:5,          134:7, 135:20,          136:14          shift [1] - 73:13          shifted [1] - 73:4          shifting [1] - 95:18          shine [1] - 102:8          shirt [2] - 26:16,          169:24          shocked [2] - 58:7,          58:11          shooting [1] - 195:13          shop [1] - 188:7          shopping [8] - 36:24,          39:3, 45:23, 113:3,          113:4, 147:16,          149:10, 157:6          short [2] - 75:14,          169:8          shortly [1] - 2:19          shots [1] - 153:10          Show [1] - 46:5          show [3] - 24:3, 46:5,          123:21          shows [1] - 123:2          shul [2] - 131:1, 131:2          shutdown [1] - 77:1          shutting [1] - 5:23          sic [8] - 17:6, 41:13,          42:3, 51:10, 59:8,          79:25, 103:8,          104:17, 132:8          sick [1] - 88:15          side [8] - 41:5, 41:10,          50:2, 121:4, 121:5,          121:15, 189:20,          189:21          sides [3] - 181:19,          181:20, 197:2          sidewalk [8] - 120:22,          121:3, 141:25,          142:6, 175:17          sidewalks [1] - 142:25          sight [1] - 149:7          sign [2] - 155:4,          187:24          signaled [1] - 36:18          signalized [2] - 37:9,          194:9          signatures [1] -          101:12          significant [1] - 146:4          signs [2] -</p>
--	--	---



tenants [1] - 65:23 tend [1] - 187:21 Tenders [2] - 73:21, 92:14 tenths [1] - 102:20 terms [2] - 92:20, 138:24 terrible [4] - 80:15, 180:15, 181:11, 184:10 terrifying [1] - 80:12 testimony [43] - 3:7, 3:20, 8:25, 11:15, 14:1, 16:22, 19:11, 20:19, 22:15, 29:3, 48:11, 74:19, 79:6, 83:3, 87:2, 89:12, 94:2, 97:22, 100:19, 104:9, 110:4, 110:23, 112:3, 116:16, 119:22, 124:19, 127:11, 129:4, 132:21, 134:2, 137:25, 138:19, 140:21, 143:25, 147:6, 151:7, 154:23, 156:23, 161:14, 165:4, 166:18, 169:3, 187:21 text [1] - 178:8 textbook [1] - 197:23 texts [1] - 75:23 thankful [1] - 134:19 Thanksgiving [2] - 130:8, 181:10 that'll [2] - 65:20, 65:21 THE [459] - 2:3, 2:13, 4:25, 5:4, 5:8, 5:10, 6:11, 7:3, 8:8, 8:10, 8:14, 8:19, 8:21, 8:24, 9:4, 9:6, 9:9, 9:15, 9:19, 9:25, 10:5, 10:7, 10:13, 11:3, 11:5, 11:9, 11:11, 11:14, 11:19, 11:20, 11:22, 12:1, 12:7, 12:11, 12:15, 12:17, 12:19, 13:15, 13:20, 13:22, 13:25, 14:5, 14:10, 14:14, 14:20, 14:24, 15:3, 15:5, 15:7, 16:9, 16:12, 16:16, 16:18, 16:21, 17:1, 17:2, 18:9, 18:15, 18:20, 19:2, 19:5, 19:7, 19:10, 19:15, 19:16, 19:24, 20:5, 20:8, 20:10, 20:13, 20:15, 20:18, 20:23, 21:12, 21:21, 22:2, 22:6, 22:9, 22:11, 22:14, 22:19, 23:14, 23:16, 23:22, 24:10, 24:14, 24:19, 25:7, 26:2, 26:6, 26:10, 26:12, 26:15, 26:21, 28:15, 28:18, 28:22, 28:24, 29:2, 29:7, 29:8, 29:14, 29:18, 29:25, 30:5, 30:9, 30:11, 30:13, 32:4, 32:21, 32:24, 33:21, 33:25, 34:6, 35:8, 35:12, 35:16, 35:18, 35:22, 36:1, 36:5, 36:7, 36:10, 37:15, 37:17, 37:22, 37:25, 38:23, 39:22, 40:1, 40:4, 40:9, 40:16, 42:8, 42:12, 42:15, 42:18, 43:13, 43:15, 43:18, 43:24, 44:3, 44:7, 44:9, 44:14, 45:8, 45:11, 45:14, 46:1, 46:25, 48:7, 48:17, 48:23, 49:3, 49:7, 49:9, 49:12, 50:6, 50:11, 51:7, 51:12, 51:18, 54:4, 54:6, 54:9, 54:13, 54:16, 54:24, 55:3, 55:23, 55:25, 56:5, 56:11, 57:10, 58:18, 58:22, 59:1, 59:3, 59:17, 60:3, 60:5, 60:9, 60:15, 60:19, 60:23, 60:25, 62:12, 62:14, 62:18, 62:23, 64:11, 64:13, 64:16, 64:24, 65:24, 66:5, 67:3, 67:6, 67:10, 67:12, 67:15, 67:19, 69:20, 74:4, 74:8, 74:13, 74:15, 74:18, 74:23, 74:24, 77:11, 77:15, 77:19, 78:11, 78:19, 78:21, 78:25, 79:2, 79:5, 79:10, 79:11, 82:6, 82:12, 82:17, 82:22, 82:24, 83:2, 83:7, 86:11, 86:16, 86:21, 86:23, 87:1, 87:6, 87:7, 88:21, 88:25, 89:6, 89:8, 89:11, 89:16, 89:17, 89:21, 92:5, 92:9, 92:13, 92:15, 93:15, 93:17, 93:21, 93:23, 94:1, 94:6, 97:7, 97:10, 97:16, 97:18, 97:21, 98:1, 98:2, 99:23, 100:4, 100:8, 100:11, 100:14, 100:15, 100:18, 100:23, 103:18, 103:20, 103:23, 104:3, 104:5, 104:8, 104:13, 104:20, 109:7, 109:13, 109:14, 109:19, 109:23, 109:25, 110:3, 110:8, 110:9, 111:11, 111:15, 111:18, 111:22, 111:24, 112:2, 112:7, 115:17, 115:19, 115:23, 116:2, 116:4, 116:10, 116:12, 116:15, 116:20, 116:21, 119:3, 119:14, 119:18, 119:21, 120:1, 120:2, 122:10, 124:2, 124:5, 124:8, 124:13, 124:15, 124:18, 124:23, 126:21, 127:5, 127:7, 127:10, 127:15, 128:13, 128:16, 128:22, 128:25, 129:3, 129:8, 129:10, 132:3, 132:5, 132:11, 132:15, 132:17, 132:20, 132:25, 133:13, 133:17, 133:21, 133:23, 134:1, 134:6, 135:17, 136:12, 136:17, 136:21, 136:24, 137:5, 137:9, 137:12, 137:17, 137:20, 137:21, 137:24, 138:4, 140:5, 140:9, 140:13, 140:17, 140:20, 140:25, 143:13, 143:19, 143:21, 143:24, 144:4, 146:19, 146:25, 147:2, 147:5, 147:10, 150:8, 150:14, 150:19, 150:23, 151:1, 151:3, 151:6, 151:11, 151:12, 153:24, 154:2, 154:9, 154:11, 154:15, 154:18, 154:19, 154:22, 155:2, 156:7, 156:13, 156:17, 156:19, 156:22, 157:2, 158:20, 159:1, 161:1, 161:5, 161:8, 161:10, 161:13, 161:18, 164:1, 164:11, 164:18, 164:23, 164:25, 165:3, 165:8, 166:3, 166:7, 166:13, 166:14, 166:17, 166:22, 168:11, 168:16, 168:20, 168:24, 169:2, 169:7, 170:20, 170:24, 176:14, 176:22, 177:1, 179:12, 179:23, 186:9, 187:12, 189:10, 190:2, 192:6, 196:23, 197:1, 201:6, 201:11, 201:18, 201:23, 202:2, 202:4, 202:9, 202:14, 202:18, 202:20, 203:4, 204:13, 204:20, 204:24, 205:3, 205:5, 207:7, 207:14, 207:18, 207:22, 207:24, 208:2, 208:5, 208:8 themselves [1] - 156:4 therefore [2] - 3:14, 31:16 thereof [1] - 66:17 they've [1] - 207:2 thinking [6] - 57:25, 81:13, 81:16, 155:14, 174:13, 174:14 third [1] - 142:18 Thirty [1] - 131:14 THOMAS [3] - 110:2, 110:7, 110:10 Thomas [5] - 40:2, 40:7, 40:13, 109:15, 109:21 thoughts [8] - 91:24, 92:2, 118:2, 181:25, 191:21, 199:19, 199:24, 200:4 threat [1] - 91:25 threats [2] - 91:10, 91:21 three [25] - 2:24, 7:20, 38:20, 61:23, 65:23, 76:18, 76:21, 77:16, 82:14, 84:15, 92:9, 95:12, 102:6, 102:15, 102:24, 104:22, 120:17, 130:6, 131:21, 136:12, 136:14, 147:22, 167:8, 171:25, 174:15 three-bedroom [1] - 7:20 three-minute [3] - 2:24, 77:16, 82:14 three-on-three [1] - 76:18 three-quarters [1] - 102:15 thrive [1] - 178:12 thrived [1] - 125:21 thriving [1] - 80:24 throughout [2] - 98:21, 147:23 throw [1] - 118:9 thrown [2] - 51:24, 52:16 throws [1] - 195:13 thruway [1] - 108:17 thump [2] - 132:1 Thursday [2] - 1:8, 122:19 ticket [1] - 195:22 tied [1] - 182:14 tight [1] - 56:23 fighter [1] - 56:19 timed [1] - 104:23 Tire [1] - 149:9 to/from [1] - 95:14 today [52] - 3:21, 4:5, 6:7, 6:8, 6:13, 9:7, 9:22, 11:23, 14:11, 16:3, 21:18, 23:19, 24:12, 29:15, 33:23, 43:16, 55:1, 56:2, 60:7, 64:10, 64:14, 73:10, 89:20, 92:1, 92:23, 105:7, 106:14, 106:18, 110:13, 125:10, 125:13, 126:15, 127:19, 134:11, 138:7, 138:13, 138:19, 139:2, 141:4, 154:3, 157:4, 158:21, 159:8, 164:7, 167:16, 170:22, 178:4, 176:10, 189:8, 193:23, 203:6 2021-374
--



<p>today's [2] - 56:16, 93:14</p> <p>together [5] - 77:7, 78:8, 135:14, 148:16, 162:19, 206:12</p> <p>tolerate [3] - 171:16, 195:23, 195:24</p> <p>tons [1] - 167:5</p> <p>took [3] - 73:11, 145:13, 179:7</p> <p>top [5] - 107:7, 108:25, 129:21, 144:19, 198:11</p> <p>topic [1] - 203:9</p> <p>total [2] - 7:11, 7:23</p> <p>totally [2] - 165:19, 176:1</p> <p>tough [2] - 104:21, 197:10</p> <p>tournament [2] - 76:18, 127:25</p> <p>tournaments [1] - 195:19</p> <p>touted [2] - 108:4, 108:10</p> <p>touting [1] - 123:1</p> <p>toward [1] - 199:21</p> <p>towards [7] - 63:19, 63:20, 72:21, 73:3, 73:4, 73:6, 73:14</p> <p>towed [1] - 178:10</p> <p>towers [1] - 190:13</p> <p>Town [1] - 36:23</p> <p>town [5] - 10:18, 23:6, 27:8, 126:14, 199:15, 200:6</p> <p>townhome [3] - 203:12, 203:16, 203:20</p> <p>townhomes [2] - 203:10, 204:2</p> <p>townhouses [2] - 6:23, 203:8</p> <p>TPO [1] - 108:10</p> <p>tradition [2] - 193:9, 195:16</p> <p>traditional [4] - 90:10, 163:22, 205:22, 207:6</p> <p>traditions [2] - 90:7, 90:8</p> <p>traffic [48] - 17:22, 21:4, 23:3, 23:4, 23:11, 24:3, 25:13, 25:14, 25:16, 37:12, 39:15, 43:3, 52:9, 52:24, 53:2, 53:18, 55:18, 73:5, 80:16, 86:7, 87:11, 88:9,</p>	<p>89:25, 90:1, 94:16, 96:22, 101:23, 109:1, 120:12, 121:19, 121:21, 131:25, 142:7, 145:21, 158:5, 163:12, 172:20, 173:3, 174:4, 175:21, 177:25, 184:2, 184:3, 184:4, 184:10, 193:7, 196:1</p> <p>trafficked [1] - 110:22</p> <p>tragedy [3] - 89:19, 89:24, 96:15</p> <p>Training [1] - 1:8</p> <p>training [1] - 90:24</p> <p>transcript [2] - 130:20, 209:10</p> <p>transitional [3] - 17:15, 31:7, 31:14</p> <p>transmitted [1] - 3:24</p> <p>Transportation [1] - 1:20</p> <p>transportation [1] - 21:8</p> <p>trapped [2] - 53:7, 53:9</p> <p>trash [1] - 84:3</p> <p>traveling [2] - 108:12</p> <p>treatment [1] - 153:17</p> <p>tree [1] - 53:8</p> <p>Tree [2] - 25:11, 192:11</p> <p>tremendous [2] - 94:17, 133:9</p> <p>tricky [1] - 173:6</p> <p>tries [1] - 63:18</p> <p>TripAdvisor [1] - 131:6</p> <p>Tropia [40] - 1:9, 8:20, 11:9, 13:21, 16:16, 19:5, 20:13, 22:9, 28:22, 74:13, 78:25, 82:22, 86:21, 89:6, 93:21, 97:16, 100:8, 100:12, 104:3, 109:11, 109:23, 111:22, 116:10, 124:13, 127:5, 128:23, 132:15, 133:21, 137:12, 140:13, 143:19, 146:25, 151:1, 156:17, 161:8, 164:23, 166:13, 168:21, 209:7, 209:18</p> <p>true [3] - 90:11, 90:12, 209:10</p> <p>truly [2] - 134:23,</p>	<p>198:6</p> <p>truth [111] - 9:1, 9:2, 11:16, 11:17, 14:2, 14:3, 16:23, 16:24, 19:12, 19:13, 20:20, 20:21, 22:16, 22:17, 29:4, 29:5, 74:20, 74:21, 79:7, 79:8, 83:4, 83:5, 87:3, 87:4, 89:13, 89:14, 94:3, 94:4, 97:23, 97:24, 100:20, 100:21, 104:10, 104:11, 110:5, 110:6, 112:4, 112:5, 116:17, 116:18, 119:23, 119:24, 124:20, 124:21, 127:12, 127:13, 129:5, 129:6, 132:22, 132:23, 134:3, 134:4, 138:1, 138:2, 140:22, 140:23, 144:1, 144:2, 147:7, 147:8, 151:8, 151:9, 154:24, 154:25, 156:24, 156:25, 161:15, 161:16, 165:5, 165:6, 166:19, 166:20, 169:4, 169:5</p> <p>try [3] - 98:8, 155:13, 179:2</p> <p>trying [11] - 53:22, 81:14, 82:1, 98:4, 117:19, 155:22, 167:2, 176:19, 195:14, 198:18, 199:4</p> <p>Tuesday [1] - 4:7</p> <p>turn [5] - 23:8, 23:10, 64:9, 74:3, 77:24</p> <p>turned [1] - 50:14</p> <p>turning [2] - 43:4, 63:20</p> <p>TV [1] - 130:25</p> <p>TVs [2] - 152:23, 175:18</p> <p>Twenty [1] - 131:13</p> <p>twilight [1] - 151:18</p> <p>two [55] - 4:7, 7:13, 7:18, 7:19, 7:20, 8:1, 16:6, 22:24, 25:20, 27:17, 27:24, 34:14, 37:10, 38:15, 38:21, 39:12, 42:2, 53:3, 53:6, 63:19, 68:10, 70:18, 76:6, 76:9, 80:7, 85:9, 88:6,</p>	<p>90:3, 90:22, 95:2, 101:4, 102:20, 103:12, 105:24, 114:15, 129:20, 130:6, 141:5, 149:1, 149:7, 150:4, 150:22, 152:14, 153:14, 170:22, 171:25, 184:19, 190:4, 194:19, 203:10, 203:19, 203:23, 204:3</p> <p>two-and-a-quarter [2] - 7:19, 7:20</p> <p>two-bedroom [1] - 7:19</p> <p>two-lane [1] - 22:24</p> <p>two-tenths [1] - 102:20</p> <p>two-unit [1] - 203:10</p> <p>type [5] - 64:6, 94:13, 98:18, 113:17, 152:5, 182:10, 182:16, 185:20</p> <p>types [3] - 144:15, 180:22, 190:21</p> <p>typical [1] - 129:21</p> <p>typically [3] - 56:18, 127:24, 183:14</p>	<p>undoubtedly [1] - 108:18</p> <p>unfortunately [3] - 51:23, 101:15, 199:10</p> <p>uniforms [1] - 101:21</p> <p>unique [5] - 171:22, 188:10, 191:25, 192:19, 193:8, 194:8</p> <p>unit [5] - 7:14, 8:2, 27:10, 203:10, 203:17</p> <p>Unit [1] - 61:4</p> <p>units [8] - 17:8, 17:12, 17:14, 27:24, 203:18, 203:19, 203:23, 204:3</p> <p>unless [1] - 4:4</p> <p>unnecessary [1] - 47:20</p> <p>unrelated [1] - 16:8</p> <p>untrue [1] - 180:22</p> <p>unusual [3] - 46:20, 185:11, 208:17</p> <p>unusually [1] - 140:2</p> <p>up [70] - 10:17, 15:16, 18:3, 21:23, 22:22, 22:25, 23:9, 28:10, 41:4, 41:6, 41:16, 48:4, 49:17, 50:1, 53:20, 53:23, 65:20, 65:23, 68:10, 68:12, 70:15, 73:24, 77:25, 78:2, 83:10, 88:14, 90:23, 92:24, 93:8, 95:8, 95:9, 103:17, 115:1, 117:1, 125:2, 125:7, 125:12, 130:8, 145:24, 151:20, 153:20, 154:5, 155:7, 157:5, 158:1, 158:24, 162:4, 164:4, 164:5, 165:10, 171:9, 171:12, 171:16, 174:15, 174:16, 176:25, 177:2, 177:4, 178:10, 180:21, 193:15, 195:1, 195:14, 196:9, 196:11, 196:19, 198:14, 199:23, 203:9, 208:16</p> <p>urban [2] - 107:19, 146:1</p> <p>US-1 [1] - 10:16</p> <p>user [2] - 65:17, 66:19</p> <p>uses [16] - 31:8, 31:10, 36:23, 38:15,</p>
---	---	---	---	---

U

Uber [1] - 139:22

ultimately [2] - 4:1, 105:11

unable [1] - 52:1

unanimously [2] - 12:17, 202:4

Uncle [3] - 83:24, 84:5, 183:6

unclear [1] - 141:23

uncommon [1] - 206:2

uncomplementary [1] - 38:17

under [15] - 30:21, 51:3, 59:13, 59:21, 105:17, 117:1, 148:20, 148:23, 149:1, 149:2, 173:6, 173:19, 182:23, 203:24, 204:1

underneath [1] - 119:12

understood [2] - 20:5, 150:23

undesirable [1] - 159:15

undeveloped [1] - 13:12

undo [2] - 91:25

2021-374

ON FILE

61:7, 61:9, 61:12, 65:10, 65:14, 71:4, 71:8, 72:3, 172:24, 173:1, 173:2, 205:10 utilities [1] - 55:9	169:17, 181:8, 184:4, 188:2 visibility [2] - 146:6, 146:15 visible [2] - 149:4, 149:6 vision [4] - 75:6, 76:5, 76:7, 148:17 voice [1] - 115:16 volume [3] - 106:8, 114:6, 121:9 vote [3] - 4:9, 50:19, 109:4 voted [2] - 4:5, 50:18 votes [1] - 4:1 voting [2] - 9:21, 10:4	192:15, 197:25 walkway [1] - 64:1 wants [8] - 71:23, 95:5, 117:21, 159:23, 160:3, 160:22, 188:2, 206:9 War [1] - 205:16 wash [7] - 61:8, 63:8, 86:6, 145:19, 163:11, 199:3, 199:8 washing [1] - 199:8 wasted [2] - 193:17, 193:19 watch [2] - 157:16, 168:2 watched [3] - 83:9, 83:11, 193:25 watching [5] - 77:9, 78:9, 81:18, 95:9, 155:20 water [3] - 52:10, 53:9, 55:14 Water [1] - 5:19 WaterMill [1] - 41:23 waters [1] - 42:5 waterway [1] - 53:20 Watson [3] - 128:21, 154:14, 156:16 Wawa [1] - 64:4 ways [2] - 145:22, 187:2 wealthy [1] - 86:9 wear [1] - 101:16 wearing [2] - 90:9, 165:16 week [2] - 76:22, 112:14 weekday [1] - 70:6 weekdays [3] - 82:4, 122:18, 123:18 weekends [3] - 70:7, 127:25, 128:1 weeks [3] - 4:7, 76:21, 202:22 weight [1] - 198:23 weird [2] - 103:5, 184:15 welcome [3] - 2:4, 21:23, 42:11 welcoming [1] - 191:9 welfare [4] - 121:13, 121:15, 123:6, 142:9 Wellington [1] - 143:17 Wendy's [1] - 13:11 West [1] - 5:21 WEST [1] - 1:21 west [3] - 15:13, 41:5, 57:18 westbound [1] - 40:22	Westside [1] - 27:2 wetland [1] - 41:11 wetlands [4] - 41:14, 41:19, 43:6, 43:7 whereas [1] - 203:16 white [1] - 101:21 whole [48] - 9:1, 11:16, 14:2, 16:23, 19:12, 20:20, 22:16, 29:4, 74:20, 79:7, 83:4, 87:3, 89:13, 94:3, 97:23, 100:20, 104:10, 110:5, 112:4, 116:17, 119:23, 124:20, 124:25, 126:17, 127:12, 129:5, 131:7, 132:22, 134:3, 138:1, 140:22, 144:1, 145:1, 147:7, 151:8, 154:24, 156:24, 161:15, 165:5, 165:15, 166:19, 167:19, 167:21, 169:4, 194:12, 205:17 wholly [1] - 106:11 Wicked [8] - 102:13, 113:21, 113:22, 114:1, 114:9, 122:6, 139:16, 139:18 Widad [2] - 87:20, 88:1 widening [2] - 39:6, 39:9 wider [1] - 56:21 wife [1] - 150:21 Wild [1] - 178:24 wildlife [1] - 52:11 willing [5] - 76:15, 178:3, 178:11, 179:7, 200:16 willingness [1] - 151:22 window [1] - 83:15 wine [4] - 173:9, 173:14, 174:7, 191:17 wings [2] - 75:9, 75:11 Wings [1] - 178:24 winter [1] - 76:17 wise [1] - 144:12 wish [2] - 164:13, 187:2 wishes [1] - 3:2 withdraw [2] - 175:14, 176:2 withdrawal [3] - 175:6, 176:2, 176:9	withdrawing [1] - 180:2 WLD-15-05 [1] - 5:17 WLD-21-04 [8] - 6:14, 67:17, 68:22, 87:18, 105:8, 115:24, 202:6, 202:10 Wolpuff [3] - 119:10, 119:16, 120:3 WOLPUFF [5] - 119:20, 119:25, 120:3, 122:13, 124:3 woman [4] - 138:10, 165:15, 193:14 women [1] - 101:13 wonderful [2] - 97:3, 163:11 Wonderwood [1] - 64:8 woods [1] - 66:24 words [1] - 130:19 Works [2] - 39:19, 43:1 workshopping [1] - 199:22 worried [2] - 88:9, 88:12 worry [1] - 84:1 worse [1] - 194:12 worship [4] - 68:25, 139:8, 152:14, 153:15 wrap [1] - 194:25 writing [3] - 72:11, 72:15, 91:5 written [7] - 7:10, 38:13, 43:8, 45:4, 46:6, 61:19, 104:24 Wynn [4] - 20:6, 20:11, 103:21, 104:1 WYNN [8] - 20:17, 20:22, 20:24, 104:7, 104:12, 104:14, 104:23, 108:6
<b>V</b>				
V-20-07 [1] - 5:19 V-21-02 [8] - 6:16, 26:22, 26:24, 29:16, 29:22, 30:1 vacancies [3] - 157:7, 157:8, 158:18 vacant [7] - 76:6, 76:9, 147:21, 159:10, 165:21, 194:12, 205:16 valid [2] - 15:21, 57:3 value [8] - 79:15, 80:1, 90:5, 90:6, 118:14, 125:11, 144:12, 145:9 value-wise [1] - 144:12 values [4] - 52:21, 125:14, 126:7, 139:8 vandalism [2] - 91:8, 91:17 variable [1] - 75:12 variance [7] - 26:24, 27:21, 29:9, 29:12, 34:19, 105:21, 195:1 variances [1] - 3:17 varieties [1] - 94:20 various [1] - 95:23 vastly [1] - 187:25 vehicular [1] - 21:4 vendor [1] - 122:25 venue [2] - 94:13, 96:9 versa [1] - 160:11 versus [1] - 79:23 vertical [1] - 120:24 viable [1] - 114:22 vice [1] - 160:11 vicinity [2] - 27:1, 125:6 victim [1] - 170:14 video [1] - 122:24 view [1] - 57:19 View [1] - 57:20 viewpoint [1] - 68:17 Village [21] - 68:7, 70:4, 70:5, 84:12, 85:1, 85:2, 95:4, 110:19, 114:14, 126:2, 130:5, 142:11, 152:7, 161:20, 162:5, 163:1, 163:5,				
<b>W</b>				
W-o-l-p-u-f-f [1] - 119:17 wait [1] - 53:5 waiting [2] - 96:16, 96:18 waiver [8] - 17:6, 68:21, 105:15, 148:23, 149:14, 150:4, 152:15, 175:11, 191:22 waivers [2] - 3:17, 197:20 walk [24] - 82:2, 84:14, 84:15, 94:24, 99:8, 106:20, 110:25, 117:3, 123:6, 123:14, 157:23, 162:10, 165:13, 169:14, 169:15, 169:19, 169:23, 170:1, 170:9, 170:11, 172:22, 193:25 walked [3] - 83:10, 163:15, 181:4 walking [39] - 17:19, 80:9, 80:14, 80:17, 81:14, 81:17, 84:19, 88:10, 90:8, 94:18, 95:13, 96:17, 98:13, 98:21, 99:2, 101:14, 102:7, 107:1, 111:1, 117:5, 120:16, 123:23, 126:16, 129:22, 131:1, 131:8, 157:19, 158:5, 160:11, 161:21, 162:13, 162:20, 168:7, 169:16, 169:18, 169:24, 188:19,				
<b>X</b>				
XL [1] - 120:5				
<b>Y</b>				
y'all [3] - 50:18, 101:1, 133:6 yards [1] - 152:24 year [8] - 8:1, 80:8, 98:21, 131:18, 177:9, 205:17 years [33] - 15:19, 75:1, 83:9, 87:25, 88:3, 94:10, 99:14, 2021-374				

101:8, 106:20, 110:16, 117:22, 125:1, 125:4, 127:21, 130:5, 133:4, 134:22, 135:16, 140:2, 144:13, 145:7, 147:21, 147:23, 148:14, 159:11, 165:11, 169:9, 172:17, 173:1, 177:7, 181:1, 184:20 yell [1] - 185:17 yelled [1] - 169:21 yelling [1] - 146:10 Yellow [2] - 5:19, 53:15 York [2] - 120:5, 169:9 young [4] - 101:2, 101:13, 116:25, 151:21 younger [1] - 139:21 yourself [1] - 75:14 Yousef [3] - 87:20, 87:25, 88:15 Yousef's [1] - 88:17 youth [4] - 127:20, 127:21, 128:6, 135:21 YouTube [1] - 122:25 Yulee [1] - 11:8	152:3, 153:13, 171:4, 171:23, 171:25, 183:14, 205:21, 206:13, 206:17 Zoning [10] - 3:25, 4:6, 5:14, 7:16, 80:22, 120:19, 148:20, 150:4, 198:21, 205:10
<b>Z</b>	
Zacharia [1] - 87:20 Zaguri [3] - 111:13, 115:25, 116:7 ZAGURI [4] - 116:8, 116:14, 116:19, 116:22 zero [1] - 173:18 Zion [1] - 92:21 Zipara [3] - 111:13, 115:25, 116:7 zone [2] - 31:7, 205:23 zoned [12] - 35:3, 63:7, 140:1, 159:18, 172:9, 172:16, 172:23, 173:5, 174:6, 178:5, 178:15, 205:17 zones [1] - 206:17 zoning [31] - 10:15, 12:24, 13:2, 15:11, 15:18, 26:24, 32:8, 32:9, 34:24, 35:5, 49:18, 49:20, 49:22, 56:19, 67:21, 68:16, 70:15, 71:7, 104:17, 105:13, 141:8,	

CITY OF JACKSONVILLE  
PLANNING COMMISSION  
MEETING

Proceedings held on Thursday, May 6, 2021,  
commencing at 1:05 p.m., at the Ed Ball Building, 214  
North Hogan Street, 1st Floor Training Room,  
Jacksonville, Florida, before Diane M. Tropia, FPR, a  
Notary Public in and for the State of Florida at Large.

PRESENT:

JOSHUA GARRISON, Chairman.  
DAVID HACKER, Secretary.  
DANIEL BLANCHARD, Commission Member.  
IAN BROWN, Commission Member.  
ALEX MOLDOVAN, Commission Member.  
JASON PORTER, Commission Member.

ALSO PRESENT:

FOLKS HUXFORD, Chief, Current Planning.  
KRISTEN REED, Chief, Community Planning Div.  
BRUCE LEWIS, Planning and Development Dept.  
LAURIE SANTANA, Transportation Planning Div.  
PAIGE JOHNSTON, Office of General Counsel.  
RANDY GALLUP, Duval County Public Schools.  
PATRICIA SALES, Planning and Development Dept.

Diane M. Tropia, Inc., Post Office Box 2375, Jacksonville, FL 32203  
(904) 821-0300

presentation. It is important that an accurate  
record be kept of speakers and what is said.  
Everyone who wishes to speak must fill out a  
blue speaker's card and place them in the  
basket with Ms. Sales. The cards are located  
in the -- I believe today they're in the  
hallway, the entry hallway.

All speakers' testimony is taken down by  
the court reporter and it is important that  
participants speak clearly into the microphone  
and only one person should speak at a time.

Any tangible material submitted with a  
speaker's presentation will become a part of  
the public record and will be kept by this  
commission; therefore, please retain a copy of  
anything submitted if it is needed.

The public hearings on exceptions,  
variances, waivers, administrative deviations  
and minor modifications are quasi-judicial  
where you will be sworn in prior to your  
testimony and the decisions by the Planning  
Commission today will be final.

Decisions by this commission on rezonings  
and land use amendments are recommendations  
only. The recommendations are transmitted to

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PROCEEDINGS

May 6, 2021 1:05 p.m.

THE CHAIRMAN: All right, everyone.  
Welcome to the May 6th, 2021, meeting of  
the Jacksonville Planning Commission.

As a courtesy, please place any mobile  
phones, tablets or audible devices on silent  
mode.

Please join me now and stand as we recite  
the Pledge of Allegiance, and remain standing  
for a brief moment of silence.

(Recitation of the Pledge of Allegiance.)

THE CHAIRMAN: Let the record reflect we  
have a quorum with Commissioners Adkison --  
Adkison is not yet present, but we have  
Commissioners Blanchard, Garrison, Hacker,  
Moldovan, Porter and Brown.

We're also joined by our Duval County  
Public Schools representative, Mr. Randy  
Gallup, as well as members of the City's  
Planning and Development Department and the  
Office of General Counsel.

This commission's bylaws provide that each  
member of the public who speaks before this  
commission is limited to a three-minute

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the City Council's Land Use and Zoning  
Committee which ultimately votes on these  
matters.

LUZ may or may not follow the  
recommendations of the Planning Commission.  
Unless specifically deferred by LUZ, items  
voted on by the Planning Commission today are  
heard before the Land Use and Zoning Committee  
in two weeks. LUZ will meet on Tuesday, May  
18th, 2021, for another public hearing and  
vote. LUZ meets in Council Chambers in City  
Hall at 5 p.m.

For any questions regarding a specific  
application, please see staff.

A copy of the agenda is located with  
Ms. Sales. Items are generally addressed in  
the order in which they are listed on the  
agenda but may be heard out of order for the  
sake of efficiency or to accommodate scheduling  
conflicts.

At this time, I will ask the members of  
the Commission to address the minutes from our  
prior meeting, April 22nd, 2021.

COMMISSIONER HACKER: Mr. Chairman, I move  
to approve the minutes dated April 22nd, 2021.

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5

1 COMMISSIONER MOLDOVAN: Second.  
2 THE CHAIRMAN: I have a motion and a  
3 second for approval of the prior meeting  
4 minutes.  
5 Any discussion from the Commission?  
6 COMMISSION MEMBERS: (No response.)  
7 THE CHAIRMAN: Seeing none, I have a  
8 motion and a second for approval.  
9 All those in favor?  
10 COMMISSION MEMBERS: Aye.  
11 THE CHAIRMAN: Any opposed?  
12 COMMISSION MEMBERS: (No response.)  
13 THE CHAIRMAN: All right. That motion  
14 passes.  
15 Okay. Next, let's go through the order of  
16 today's meeting. Here are the deferred items  
17 that we'll not be hearing: E-15-20 and  
18 WLD-15-05, Atlantic Boulevard; E-17-46, Merrill  
19 Road; E-20-46, Salisbury Road; E-20-84 and  
20 AD-21-05, Old Kings Road; MM-19-06, Collins  
21 Road; MM-21-03, Baymeadows Circle West;  
22 2020-0340 and -341, Florence Street; 2020-0391,  
23 Alton Avenue; 2020-0575, Pearl Street North;  
24 2020-0020, Loretto Road; 2020-0689, Broward  
25 Road; 2021-0011, Heckscher Drive; 2021-0170,  
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6

1 Lakeside Drive.  
2 We will also be deferring, last minute,  
3 2021-0193 and -0194 at 707 Clearview Lane and  
4 741 Brazeale Lane.  
5 Is there anyone here today to speak on any  
6 of those matters that I just read aloud?  
7 AUDIENCE MEMBERS: (No response.)  
8 THE CHAIRMAN: Seeing none, let's go  
9 through the items that we will be hearing  
10 today: We will be hearing V-20-07, Yellow  
11 Water Road; E-21-16 and WLD-21-04, San Jose  
12 Boulevard; E-21-18, Westlake Drive; E-21-19,  
13 Blanding Boulevard; E-21-20, Gate Parkway;  
14 E-21-21/WLD-21-05 on Beach Boulevard.  
15 We'll also be hearing E-21-22, Monument  
16 Road; V-21-04, Mandarin Road; MM-21-07, Gran  
17 Bay Parkway; MM-21-08, Gran Bay Parkway; as  
18 well as conventional rezoning 2021-0199, Bailey  
19 [sic] Road.  
20 We'll also be hearing 2021-0195, Max  
21 Leggett Parkway, Phase II; as well as  
22 2021-0196, University Boulevard North; as well  
23 as 2021-0197, at Belfort Road; and lastly,  
24 2021-0198, San Pablo Road.  
25 With that, I'm going to go a bit out of  
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7

1 order. Could we move to E-21-19, Blanding  
2 Boulevard, and open the public hearing.  
3 MR. HUXFORD: Thank you, Mr. Chairman.  
4 Zoning exception E-21-19 is for property  
5 at 6415 Blanding Boulevard on the Westside.  
6 This is at the intersection of Blanding  
7 Boulevard and 118th Street, requesting retail  
8 sale of all alcoholic beverages, not in  
9 conjunction with a restaurant.  
10 So it's in the CCG-2 zoning district.  
11 This is going to be for Steel Pony II. There's  
12 currently a Steel Pony located over at 103rd  
13 and Jammes. This would be their next venture.  
14 The property is already developed with a  
15 strip commercial center, including a liquor  
16 store. There's no abutting residential and the  
17 surrounding properties are largely developed  
18 with motor vehicle dealerships, noting that  
19 there is no waiver to reduce distance either.  
20 Staff had no objections and we recommend  
21 approval.  
22 THE CHAIRMAN: Thank you, Folks.  
23 (Mr. Mann approaches the podium.)  
24 THE CHAIRMAN: Mr. Mann.  
25 MR. MANN: Mr. Chairman, members of the  
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8

1 Commission --  
2 (Discussion held off the record.)  
3 THE CHAIRMAN: Thank you.  
4 MR. MANN: Do you need to swear me in?  
5 THE CHAIRMAN: We'll get there, yes, sir.  
6 MR. MANN: Okay.  
7 THE CHAIRMAN: We'll take your name and  
8 address, please, again.  
9 Thank you, sir.  
10 MR. MANN: Charles Mann, 165 Arlington  
11 Road, representing the property owner.  
12 THE CHAIRMAN: Great. Thank you. And  
13 Ms. Tropa will swear you in.  
14 THE REPORTER: Do you affirm that the  
15 testimony you are about to give will be the  
16 truth, the whole truth, and nothing but the  
17 truth?  
18 MR. MANN: Yes, ma'am, I do.  
19 THE REPORTER: Thank you.  
20 THE CHAIRMAN: Go ahead, please, Mr. Mann.  
21 MR. MANN: Mr. Chairman, the staff has  
22 recommended approval of this. They used nine  
23 criteria for review. We met each one of the  
24 criteria. There's an existing business  
25 previously in the same neighborhood. This is  
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9

1 just a new location for an existing business,  
2 and we ask that you support your staff report.

3 Thank you.

4 THE CHAIRMAN: All right. Great. Thank  
5 you, Mr. Mann.

6 Is there anyone else here today to speak  
7 on E-21-19?

8 AUDIENCE MEMBERS: (No response.)

9 THE CHAIRMAN: Seeing none, I'll close the  
10 public hearing and bring it back to the  
11 Commission.

12 COMMISSIONER HACKER: Mr. Chairman, I move  
13 to approve E-21-19.

14 COMMISSIONER MOLDOVAN: Second.

15 THE CHAIRMAN: I have a motion and a  
16 second for approval of E-21-19.

17 Any discussion from the Commission?

18 COMMISSION MEMBERS: (No response.)

19 THE CHAIRMAN: Seeing none, I have a  
20 motion and a second for approval.

21 All those in favor?

22 COMMISSION MEMBERS: Aye.

23 THE CHAIRMAN: Any opposed?

24 COMMISSION MEMBERS: (No response.)

25 THE CHAIRMAN: That motion passes.

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1 MR. MANN: Mr. Chairman, members of the  
2 committee, thank you very much.

3 THE CHAIRMAN: Thank you, sir. Thanks for  
4 being here.

5 All right. Could we please go to V-20-07,  
6 Yellow Water Road.

7 MR. HUXFORD: Thank you, Mr. Chairman.

8 Application for zoning variance V-20-07 is  
9 for property at 4800 Yellow Water Road. This  
10 is on the Westside. The request is a family  
11 homestead partition on less than ten acres of  
12 land, resulting in a lot split for family  
13 members with two homes on two lots in the  
14 Agriculture zoning district.

15 As noted in the staff report, the Planning  
16 Commission previously granted variance V-17-04  
17 for nearby property, about 500 feet away, and  
18 we have had some other similar requests in this  
19 area, both north and south of Normandy  
20 Boulevard.

21 With that, we feel it's consistent and we  
22 have forwarded to you a recommendation to  
23 approve.

24 THE CHAIRMAN: Thank you, Folks.

25 Fred.

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11

1 (Audience member approaches the podium.)

2 THE CHAIRMAN: Yes, sir. Your name and  
3 address for the record, please.

4 AUDIENCE MEMBER: Fred Atwill, Jr., 9001  
5 Forest Acres Lane, Jacksonville, Florida 32234.

6 THE CHAIRMAN: Thank you.

7 And Ms. Tropia will swear you in.

8 MR. ATWILL: Okay. Thanks.

9 THE REPORTER: If you would raise your  
10 right hand for me, please.

11 MR. ATWILL: (Complies.)

12 THE REPORTER: Do you affirm that the  
13 testimony you are about to give will be the  
14 truth, the whole truth, and nothing but the  
15 truth?

16 MR. ATWILL: Yes, I do.

17 THE REPORTER: Thank you.

18 MR. ATWILL: Okay. Thank you,  
19 Mr. Chairman and committee.

20 Thank you very much for your patience with  
21 this one. It's been around for, you know,  
22 nearly a year. We had issues trying to get the  
23 surveying correct on the appropriate lot. And  
24 now that we've got that settled, we really  
25 appreciate your support for this.

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12

1 The project has been held up as well  
2 because the septic that needs to be installed  
3 can't be installed until we get the variance,  
4 pursuant to the Health Department. So with the  
5 approval by your body, we can move forward with  
6 the establishment of the family homestead.

7 And I'm here for any questions or concerns  
8 that all may have.

9 Thank you very much.

10 THE CHAIRMAN: Great. Thank you, Fred.

11 I believe we do have one speaker in  
12 opposition.

13 MS. SALES: No.

14 THE CHAIRMAN: We do not?

15 MS. SALES: No.

16 THE CHAIRMAN: Okay. Well, with that, is  
17 there anyone else here today to speak on  
18 V-20-07?

19 AUDIENCE MEMBERS: (No response.)

20 THE CHAIRMAN: Seeing none, I'll close the  
21 public hearing and bring it back to the  
22 Commission.

23 COMMISSIONER HACKER: Mr. Chairman, I move  
24 to approve V-20-07.

25 COMMISSIONER MOLDOVAN: Second.

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13

1 THE CHAIRMAN: All right. I have a motion  
2 and second for approval of V-20-07.  
3 Discussion from the Commission?  
4 COMMISSION MEMBERS: (No response.)  
5 THE CHAIRMAN: Seeing none, I have a  
6 motion and second for approval.  
7 All those in favor?  
8 COMMISSION MEMBERS: Aye.  
9 THE CHAIRMAN: Any opposed?  
10 COMMISSION MEMBERS: (No response.)  
11 THE CHAIRMAN: That motion passes.  
12 MR. ATWILL: Thank you.  
13 THE CHAIRMAN: Great. Thank you, Fred.  
14 Thanks for being here.  
15 All right. Could we please go to E-21-18.  
16 MR. HUXFORD: Thank you, Mr. Chairman.  
17 Application for zoning exception E-21-18  
18 is for property at 3550 Westlake Avenue. This  
19 is requesting a child care center in the Light  
20 Industrial zoning district.  
21 As noted in the staff report, this  
22 property has been used previously as a daycare  
23 center and the Planning Commission previously  
24 granted an exception back in 2001 and also in  
25 2019. But because these are personal to the  
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14

1 license holder, any new operator has to come in  
2 and get their own zoning exception. So this is  
3 essentially a name change.  
4 Staff had no objections and we forward to  
5 you a recommendation to approve.  
6 THE CHAIRMAN: Great. Thank you, Folks.  
7 (Audience member approaches the podium.)  
8 THE CHAIRMAN: Yes, sir. Your name and  
9 address, please.  
10 AUDIENCE MEMBER: Dorian Jones, 8273  
11 Catfield Court, Jacksonville, Florida 32277.  
12 THE CHAIRMAN: Great. Thank you. And  
13 Ms. Tropia will swear you in.  
14 THE REPORTER: If you would raise your  
15 right hand for me, please.  
16 MR. JONES: (Complies.)  
17 THE REPORTER: Do you affirm that the  
18 testimony you are about to give will be the  
19 truth, the whole truth, and nothing but the  
20 truth?  
21 MR. JONES: Yes, I do.  
22 THE REPORTER: Thank you.  
23 THE CHAIRMAN: Go ahead, please.  
24 MR. JONES: Chair and commissioners, we  
25 just want to have this particular building  
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15

1 zoned. As was mentioned, in 2001 and 2019 it  
2 was zoned as a daycare previously. And we have  
3 a new tenant coming in, so we just wanted to  
4 get it rezoned for operation use.  
5 THE CHAIRMAN: Great. Thank you, sir.  
6 Is there anyone else here today to speak  
7 on E-21-18?  
8 AUDIENCE MEMBERS: (No response.)  
9 THE CHAIRMAN: Seeing none, I'll close the  
10 public hearing and bring it back to the  
11 Commission.  
12 COMMISSIONER HACKER: Mr. Chairman, I move  
13 to approve E-21-18.  
14 COMMISSIONER MOLDOVAN: Second.  
15 THE CHAIRMAN: We have a motion and a  
16 second for approval of E-21-18.  
17 Any discussion from the Commission?  
18 COMMISSION MEMBERS: (No response.)  
19 THE CHAIRMAN: Seeing none, we have a  
20 motion and second for approval.  
21 All those in favor?  
22 COMMISSION MEMBERS: Aye.  
23 THE CHAIRMAN: Any opposed?  
24 COMMISSION MEMBERS: (No response.)  
25 THE CHAIRMAN: That motion passes.  
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16

1 MR. JONES: All right. Thank you.  
2 THE CHAIRMAN: Thank you, sir. Thank you  
3 for being here.  
4 Ladies and gentlemen, if you would help  
5 our court reporter and get close to the  
6 microphone, that will help with recording. And  
7 also, we've been pretty silent so far, but if  
8 we could not talk to each other for the sake of  
9 the court reporter, that's much appreciated.  
10 All right. Let's go to E-21-20, Gate  
11 Parkway.  
12 MR. HUXFORD: Thank you.  
13 This is zoning exception E-21-20 at 7818  
14 Gate Parkway. This is near Point Meadows Drive  
15 and Interstate I-295, not far from IKEA.  
16 The request is for permanent outside sale  
17 and service in the CCG-1 zoning district for a  
18 proposed restaurant. As noted in the staff  
19 report, this is -- this is Culver's that's  
20 coming in. There's already a Melting Pot and a  
21 Pizza Point restaurant in the same shopping  
22 center that have outside seating. So, with  
23 that, we feel it's consistent. We had no  
24 objections and we recommend approval.  
25 THE CHAIRMAN: Thank you, Folks.  
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17

1 (Audience member approaches the podium.)  
2 THE CHAIRMAN: Hi. Your name and address,  
3 please.  
4 AUDIENCE MEMBER: Blair Knighting,  
5 Kimley-Horn, 1274 Gran Bay Parkway West,  
6 Jacksonville, 32258.  
7 THE CHAIRMAN: And Ms. Tropia will swear  
8 you in.  
9 THE REPORTER: If you would raise your  
10 right hand for me, please.  
11 MS. KNIGHTING: (Complies.)  
12 THE REPORTER: Do you affirm that the  
13 testimony you are about to give will be the  
14 truth, the whole truth, and nothing but the  
15 truth?  
16 MS. KNIGHTING: I do.  
17 THE REPORTER: Thank you.  
18 MS. KNIGHTING: Thank you.  
19 Hey, you guys.  
20 I'm here -- we appreciate your time,  
21 Folks. And we agree with the staff  
22 recommendation and I'm here for any questions  
23 you may have.  
24 THE CHAIRMAN: Great. Thanks,  
25 Ms. Knighting.

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18

1 MS. KNIGHTING: Thank you.  
2 THE CHAIRMAN: All right. Is there anyone  
3 else here today to speak on E-21-20?  
4 AUDIENCE MEMBERS: (No response.)  
5 THE CHAIRMAN: Seeing none, I'll close the  
6 public hearing and bring it back to the  
7 Commission.  
8 COMMISSIONER HACKER: Mr. Chairman, I move  
9 to approve E-21-20.  
10 COMMISSIONER MOLDOVAN: Second.  
11 THE CHAIRMAN: All right. I have a motion  
12 and a second for approval of E-21-20.  
13 Any discussion from the Commission?  
14 COMMISSION MEMBERS: (No response.)  
15 THE CHAIRMAN: Seeing none, I have a  
16 motion and a second for approval.  
17 All those in favor?  
18 COMMISSION MEMBERS: Aye.  
19 THE CHAIRMAN: Any opposed?  
20 COMMISSION MEMBERS: (No response.)  
21 THE CHAIRMAN: That motion passes.  
22 Thank you. Good to see you again. Glad  
23 you're back.  
24 MS. KNIGHTING: Thank you.  
25 THE CHAIRMAN: Okay. Could we please go

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19

1 to E-21-21 and WLD-21-05.  
2 MR. HUXFORD: Thank you, Mr. Chairman.  
3 This is zoning exception E-21-21 at 14190  
4 Beach Boulevard. This is just to the west of  
5 San Pablo and Beach. The exception is  
6 requesting the retail sale and service of beer  
7 and wine for on-premises consumption.  
8 The Planning Commission previously  
9 approved a zoning exception for this property  
10 back in 2019 for the Prime Car Wash. It is  
11 still used as that. They would like to be able  
12 to serve alcohol to their patrons.  
13 The waiver is for the old Walmart shopping  
14 center just to the east. That has now been  
15 converted to the Church of Eleven22. Within  
16 that shopping center there are also commercial  
17 activities and four restaurants serving beer  
18 and wine for on-premises consumption. Given  
19 that -- and it's zoned commercial.  
20 So given the totality of that, we had no  
21 objections and we're forwarding to you a  
22 recommendation to approve.  
23 THE CHAIRMAN: Thank you, Folks.  
24 (Audience member approaches the podium.)  
25 THE CHAIRMAN: Yes, sir. Your name and

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20

1 address, please.  
2 AUDIENCE MEMBER: Zac Bruker, 3008 Forest  
3 Circle, Jacksonville, 32257.  
4 THE CHAIRMAN: And Ms. Tropia will swear  
5 you in.  
6 THE REPORTER: If you would raise your  
7 right hand for me, please.  
8 MR. BRUKER: (Complies.)  
9 THE REPORTER: Do you affirm that the  
10 testimony you are about to give will be the  
11 truth, the whole truth, and nothing but the  
12 truth?  
13 MR. BRUKER: Yes.  
14 THE REPORTER: Thank you.  
15 THE CHAIRMAN: Go ahead, please.  
16 MR. BRUKER: We are a full-service car  
17 wash. We have a small lobby where we serve  
18 light refreshments. We'd also like to offer  
19 our customers a beer while they wait for their  
20 car to be done.  
21 THE CHAIRMAN: All right. Thank you.  
22 Is there anyone else here today to speak  
23 on E-21-21 or WLD-21-05?  
24 AUDIENCE MEMBERS: (No response.)  
25 THE CHAIRMAN: Seeing none, I'll close the

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21

1 public hearing and bring it back to the  
2 Commission.  
3 COMMISSIONER HACKER: Mr. Chairman, I move  
4 to approve E-21-21.  
5 COMMISSIONER MOLDOVAN: Second.  
6 THE CHAIRMAN: I have a motion and a  
7 second for approval of E-21-21.  
8 Discussion from the Commission?  
9 Commissioner Hacker.  
10 COMMISSIONER HACKER: Thank you,  
11 Mr. Chairman.  
12 Through the Chair to the applicant, this  
13 seems like one of those concepts that I don't  
14 know why it hadn't happened yet, so glad you  
15 figured it out. Have you had any opposition  
16 from the church?  
17 MR. BRUKER: No.  
18 COMMISSIONER HACKER: Have you been in  
19 connection with the church or talked to them?  
20 MR. BRUKER: We know the church. They  
21 have a lot of members that go to our car wash.  
22 I haven't talked to them specifically about  
23 this, but we face the back of a very large  
24 building and the forward part of the church  
25 faces a shopping center that has a Dick's Wings  
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22

1 and other restaurants --  
2 (Discussion held off the record.)  
3 MR. BRUKER: Sorry.  
4 So, no, I didn't think there would be any  
5 objection on their part.  
6 COMMISSIONER HACKER: Okay. I wouldn't  
7 think so either, but it gives me a little bit  
8 of pause that I don't -- it says your signs  
9 weren't posted. Do you know if those got  
10 posted?  
11 MR. BRUKER: They're posted. They've been  
12 posted for about a week and a half. They  
13 weren't posted right away, which I apologize  
14 for.  
15 COMMISSIONER HACKER: Okay. Thanks.  
16 Question to Folks, then. What are the  
17 parameters on the signs being posted? It was  
18 on the agenda in the -- both agendas, I guess,  
19 that they weren't --  
20 MR. HUXFORD: Right. So staff does go out  
21 and do site visits. That's one of the things  
22 that we check for, but we do -- we advertise  
23 for zoning exceptions and for waivers three  
24 ways; one is the posting of the sign; two is  
25 the notice in the newspaper; and three is that  
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23

1 we send out letters to all property owners  
2 within 350 feet. There's no requirement in  
3 your bylaws that it be deferred just because  
4 they didn't have the sign posted in a timely  
5 manner. It is good to hear that he did finally  
6 get it posted.  
7 COMMISSIONER HACKER: Okay. Fair enough.  
8 Thank you. I appreciate the application.  
9 MR. BRUKER: Thank you.  
10 THE CHAIRMAN: Thank you, Commissioner  
11 Hacker.  
12 Commissioner Blanchard.  
13 COMMISSIONER BLANCHARD: Thank you,  
14 Chairman.  
15 I would respectfully disagree with  
16 Commissioner Hacker about the concept. I  
17 guess --  
18 Help me understand. So people stop, get  
19 their car washed, get a couple of beers, and  
20 jump back in the car and hit the road? That's  
21 the -- you see where I'm going with this?  
22 MR. BRUKER: Yeah.  
23 COMMISSIONER BLANCHARD: It sounds strange  
24 to me. I don't think it's --  
25 MR. BRUKER: So it would be like if you go  
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24

1 to a barber shop or if -- you know, ladies go  
2 to get their nails done and they offer them a  
3 beer or a glass of champagne while they're  
4 there. Our average customer is on property for  
5 20, 25 minutes, so it would be the same concept  
6 where while they're waiting they would be able  
7 to have a beer.  
8 COMMISSIONER BLANCHARD: Okay. As far as  
9 the WLD- -- through the Chair to staff, Folks,  
10 isn't there a provision where if the church is  
11 in a shopping center, they don't -- they're not  
12 offered the same level of protections that they  
13 would be if it was free-standing?  
14 MR. HUXFORD: You are correct. A couple  
15 of things come into play. When the shopping  
16 center was developed, that space was developed  
17 with a Walmart and so the restaurants were able  
18 to go in with their beer and wine with no  
19 issue. Since the Walmart moved and rebuilt  
20 down the way, Church of Eleven22 came in, but  
21 they have bought that piece of land and so it  
22 stands separate from the rest of the shopping  
23 center, even though when you're out there, it  
24 all looks like one development. And for that  
25 reason, they would be afforded the protections.  
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25

1 If they were a part of the overall shopping  
2 center and it was all one piece of land,  
3 because it's CCG-1, they wouldn't get the  
4 protections of the distance.

5 COMMISSIONER BLANCHARD: Thank you.

6 I think it's kind of a technicality, but  
7 my position on this would be that -- I don't  
8 think that the waiver should be an issue  
9 because you're essentially next to a shopping  
10 center that -- there's other restaurants that  
11 serve beer and wine.

12 I think -- as far as the exception, I  
13 think it's weird, but -- but I don't think that  
14 there's any reason not to deny it because of  
15 the location. And so I'm not here to get into  
16 your business model. I think it's unusual in  
17 my head, but as far as whether this site is  
18 appropriate or not, it is. Whether it's the  
19 business is up to you to figure out. So I  
20 wouldn't have any objections, although I was  
21 scratching my head a little bit.

22 So no further comments, Chairman.

23 THE CHAIRMAN: Thank you, Commissioner  
24 Blanchard.

25 Further discussion from the Commission?

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26

1 Commissioner Brown.

2 COMMISSIONER BROWN: Thank you.

3 Through the Chair to Folks, do we have  
4 this same arrangement with any other car washes  
5 in Jacksonville?

6 MR. HUXFORD: I'm not aware of any. I  
7 think one of the main differences -- because my  
8 wife is a hairdresser, she serves champagne and  
9 wine, but -- in CCG-1 where her shop is, but  
10 she didn't get a zoning exception because she's  
11 not selling it, she's just giving it away. But  
12 in order to get a license from ABT, they need  
13 to have the zoning exception so we can do a  
14 sign-off.

15 COMMISSIONER BROWN: Thank you.

16 I can see this coming before us more often  
17 after this one. It's just maybe food for  
18 thought as a commission.

19 I'm not uncomfortable with it largely  
20 because they're not there very long, so it's  
21 probably not even enough time for a reasonable  
22 person to have a second drink, so -- but I did  
23 want to ask about -- if there was a baseline  
24 for this, so -- but thank you.

25 MR. HUXFORD: Through the Chair, Paige did

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27

1 remind me, several months ago y'all did approve  
2 one for a bicycle shop down on Philips Highway.

3 THE CHAIRMAN: And, Mr. Bruker, you have  
4 no interest in just giving your beer away?  
5 You'd like to sell it?

6 MR. BRUKER: We could give it away, but  
7 I'd rather sell it.

8 THE CHAIRMAN: Okay. Just a -- it would  
9 solve the problem. Just saying.

10 Any further discussion from the  
11 Commission?

12 Commissioner Moldovan.

13 COMMISSIONER MOLDOVAN: I'll just be  
14 brief. I want to say that this is a really  
15 neat idea. I think my initial knee-jerk  
16 reaction was the same as Commissioner  
17 Blanchard, dealing with alcohol and  
18 automobiles, but I think the way you described  
19 it is perfectly clear. I think it's more and  
20 more common anywhere where you go and receive a  
21 service, they're either offering a drink or  
22 selling it. I also would prefer to sell it. I  
23 understand where you're coming from.

24 And I do think we're going to see a lot  
25 more of these because this seems like something

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28

1 that's going to catch on and be popular.

2 I wish you the best of luck and I support  
3 it.

4 Thank you.

5 MR. BRUKER: Thank you.

6 THE CHAIRMAN: Thanks, Commissioner  
7 Moldovan.

8 Further discussion from the Commission?

9 COMMISSION MEMBERS: (No response.)

10 THE CHAIRMAN: Seeing none, I have a  
11 motion and second for approval.

12 All those in favor?

13 COMMISSION MEMBERS: Aye.

14 THE CHAIRMAN: Any opposed?

15 COMMISSION MEMBERS: (No response.)

16 THE CHAIRMAN: That motion passes.

17 MR. BRUKER: Thank you.

18 COMMISSIONER HACKER: Mr. Chairman, I move  
19 to approve WLD-21-05.

20 COMMISSIONER MOLDOVAN: Second.

21 THE CHAIRMAN: All right. I have a motion  
22 and a second for approval of WLD-21-05.

23 Discussion from the Commission?

24 COMMISSION MEMBERS: (No response.)

25 THE CHAIRMAN: Seeing none, I have a

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29

1 motion and second for approval.  
2 All those in favor?  
3 COMMISSION MEMBERS: Aye.  
4 THE CHAIRMAN: Any opposed?  
5 COMMISSION MEMBERS: (No response.)  
6 THE CHAIRMAN: That motion passes as well.  
7 All right. Could we please go to E-21-22,  
8 Monument Road.  
9 MR. HUXFORD: Thank you, Mr. Chairman.  
10 Zoning exception E-21-22 is for property  
11 at 101 Monument Road. This is across from  
12 Regency Square Mall. This is the former Miami  
13 Subs and they're being converted into a  
14 Culver's. Just like the previous request, this  
15 is for outside sales and service in the CCG-1  
16 zoning district. This is right in front of the  
17 Best Bet, if anyone knows where that is.  
18 We had no objections to it. It's  
19 surrounded by commercial, there's no  
20 residential next door, and we recommend  
21 approval.  
22 THE CHAIRMAN: Thank you, Folks.  
23 (Ms. Knighting approaches the podium.)  
24 THE CHAIRMAN: Yes, ma'am.  
25 MS. KNIGHTING: Blair Knighting,  
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30

1 Kimley-Horn, 12740 Gran Bay Parkway West,  
2 32258.  
3 THE CHAIRMAN: Great. And Ms. Tropla will  
4 swear you in.  
5 THE REPORTER: If you would raise your  
6 right hand for me, please.  
7 MS. KNIGHTING: (Complies.)  
8 THE REPORTER: Do you affirm that the  
9 testimony you are about to give will be the  
10 truth, the whole truth, and nothing but the  
11 truth?  
12 MS. KNIGHTING: I do.  
13 THE REPORTER: Thank you.  
14 MS. KNIGHTING: Thank you, Folks, for your  
15 time.  
16 We agree with the staff recommendation and  
17 we -- I'm here for any questions you may have.  
18 THE CHAIRMAN: Thanks, Ms. Knighting.  
19 MS. KNIGHTING: You're welcome.  
20 THE CHAIRMAN: All right. Is there anyone  
21 else here today to speak on E-21-22?  
22 AUDIENCE MEMBERS: (No response.)  
23 THE CHAIRMAN: Seeing none, I'll close the  
24 public hearing and bring it back to the  
25 Commission.  
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31

1 COMMISSIONER HACKER: Mr. Chairman, I move  
2 to approve E-21-22.  
3 COMMISSIONER MOLDOVAN: Second.  
4 THE CHAIRMAN: I have a motion and second  
5 for approval of E-21-22.  
6 Discussion from the Commission?  
7 Commissioner Hacker.  
8 COMMISSIONER HACKER: Thank you,  
9 Mr. Chairman.  
10 I'll be brief. I'm just -- wanted to say  
11 I'm glad to see this building getting some use  
12 here. It's been vacant for quite a while, so  
13 thanks.  
14 MS. KNIGHTING: Thank you.  
15 THE CHAIRMAN: Thank you, Commissioner  
16 Hacker.  
17 Further discussion?  
18 COMMISSION MEMBERS: (No response.)  
19 THE CHAIRMAN: Seeing none, I have a  
20 motion and a second for approval.  
21 All those in favor?  
22 COMMISSION MEMBERS: Aye.  
23 THE CHAIRMAN: Any opposed?  
24 COMMISSION MEMBERS: (No response.)  
25 THE CHAIRMAN: That motion passes.  
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32

1 MS. KNIGHTING: Thank you.  
2 THE CHAIRMAN: Thank you. Thanks for  
3 being here.  
4 Could we please go to V-21-04, Mandarin  
5 Road.  
6 MR. HUXFORD: Application for zoning  
7 variance V-21-04, for property at 13959  
8 Mandarin Road. This is on the southern end of  
9 Mandarin Road, seeking to increase the square  
10 footage of an accessory structure relative to  
11 the size of the house from 1,252 square feet to  
12 3,100 square feet. This is to allow for  
13 parking for an RV, boat and other personal  
14 items.  
15 Staff --  
16 (Audience interruption.)  
17 THE CHAIRMAN: Go ahead, please.  
18 MR. HUXFORD: Staff notes that the  
19 property is almost one acre. There's a fence  
20 along Mandarin Road, so it's not going to be  
21 visible from the street, and that the proposed  
22 structure meets all applicable setbacks.  
23 With that, we had no objections and we  
24 recommend approval.  
25 THE CHAIRMAN: Great. Thank you, Folks.  
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33

1 (Audience member approaches the podium.)  
2 THE CHAIRMAN: Yes, sir. Your name and  
3 address, please.  
4 AUDIENCE MEMBER: Timothy Casey, 13959  
5 Mandarin Road.  
6 THE CHAIRMAN: Great. And Ms. Tropia will  
7 swear you in.  
8 THE REPORTER: If you would raise your  
9 right hand for me, please.  
10 MR. CASEY: (Complies.)  
11 THE REPORTER: Do you affirm that the  
12 testimony you are about to give will be the  
13 truth, the whole truth, and nothing but the  
14 truth?  
15 MR. CASEY: Yes.  
16 THE REPORTER: Thank you.  
17 THE CHAIRMAN: Go ahead, please.  
18 MR. CASEY: Thank you, commissioners. I  
19 appreciate you hearing me today.  
20 I'm the homeowner. I'm looking to replace  
21 an old and dilapidated, detached garage that  
22 was formerly there. That's -- had to be torn  
23 down due to its -- its state of disrepair. I'd  
24 like to have one larger than -- is greater than  
25 50 percent of the square footage to hold an RV,  
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34

1 a boat and my passenger vehicles, and I support  
2 the recommendation.  
3 THE CHAIRMAN: Thank you, Mr. Casey.  
4 I do have one speaker in opposition, so  
5 I'll give you a moment after for rebuttal.  
6 MR. CASEY: Okay.  
7 THE CHAIRMAN: Okay. Would Stephen  
8 Crutchfield please come forward.  
9 (Audience member approaches the podium.)  
10 THE CHAIRMAN: Are you here fairly  
11 frequently?  
12 AUDIENCE MEMBER: Yes, sir.  
13 THE CHAIRMAN: Okay. I thought so.  
14 AUDIENCE MEMBER: I'm usually on the other  
15 side requesting changes.  
16 THE CHAIRMAN: Oh, okay.  
17 Go ahead.  
18 AUDIENCE MEMBER: Hi. My name is Stephen  
19 Crutchfield. I live at 1650 Tayo Lane, which  
20 is, on the map, kind of across the street and  
21 off to an angle, so --  
22 THE CHAIRMAN: Okay. Ms. Tropia will  
23 swear you in.  
24 THE REPORTER: If you would raise your  
25 right hand for me, please.  
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35

1 MR. CRUTCHFIELD: (Complies.)  
2 THE REPORTER: Do you affirm that the  
3 testimony you are about to give will be the  
4 truth, the whole truth, and nothing but the  
5 truth?  
6 MR. CRUTCHFIELD: Yes, ma'am.  
7 THE REPORTER: Thank you.  
8 THE CHAIRMAN: Go ahead, please.  
9 MR. CRUTCHFIELD: Okay. I wanted clarity  
10 on exactly where the change was going to be.  
11 And if I understand correctly, it's going to be  
12 across the -- I'll skip this thing.  
13 THE CHAIRMAN: You've got to use that mic,  
14 sir, I'm sorry.  
15 MR. CRUTCHFIELD: Okay. If I'm  
16 understanding correctly, it's going to be on  
17 the back side from Mandarin Road. So when you  
18 look at the drawing, it's going to be back  
19 where the property is on Sternwheel Court.  
20 Okay? It won't be between Mandarin Road and  
21 the house; is that correct?  
22 THE CHAIRMAN: Mr. Crutchfield, we don't  
23 answer questions up here, but if you can --  
24 MR. CRUTCHFIELD: Okay.  
25 THE CHAIRMAN: You're free to continue.  
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36

1 MR. CRUTCHFIELD: My concern is it's set  
2 for 25 feet in height. Okay? Which is  
3 equivalent to a two-story house. And it  
4 doesn't state what the construction material is  
5 going to be. Is it going to be metal? Is it  
6 going to be wood? Is it going to be a  
7 combination of Hardiboard, brick?  
8 So those items, based on how this property  
9 is built, will negatively impact the homes that  
10 are on Sternwheel Court. Okay? One of them  
11 right now is currently under contract at  
12 \$492,000, so --  
13 When you look at the pictures in the  
14 application, it's showing down Huntington  
15 Avenue. Those are all (inaudible) properties.  
16 But if you go down Sternwheel, which backs up  
17 to this property, those are 450- to \$550,000  
18 homes. If you go across Mandarin Road, one  
19 sold for \$1.79 million a couple of months ago.  
20 You have another one that's getting ready to  
21 hit the market in that 2.25 to \$2.5 million  
22 market. My property is about a million-one and  
23 the one across the street from me is about a  
24 million-three. So the structure doesn't -- the  
25 (inaudible) does not necessarily reflect what's  
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37

1 surrounding it. Okay? So you could negatively  
2 impact our values based on the construction of  
3 a 25-foot metal garage.

4 Thank you for taking the time to hear me.

5 THE CHAIRMAN: Thank you, sir.

6 All right. Bruce, can we work on that? I  
7 saw you maybe trying to swap a microphone for  
8 us.

9 MR. LEWIS: Okay. Yes.

10 THE CHAIRMAN: Appreciate it.

11 Mr. Casey, we'll swap this mic and then  
12 give you a moment for rebuttal.

13 (Mr. Casey approaches the podium.)

14 THE CHAIRMAN: Go ahead, please, sir.

15 MR. CASEY: Well -- so I do appreciate the  
16 input. The garage that's going to be  
17 implemented is going to be in the same location  
18 as the former garage. It's going to be  
19 accessible. My legal access to the property is  
20 on Huntington, which is a dirt road. If you go  
21 down Huntington, there's quite clearly a lot of  
22 similar structures as to the one that I'm  
23 building. I believe that it is in keeping with  
24 the area around it given the fact where it is,  
25 it will not be visible from Mandarin Road. I

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38

1 don't see how this would negatively impact  
2 any -- any residents around my community.

3 THE CHAIRMAN: Thank you, Mr. Casey.  
4 Thank you.

5 All right. Is there anyone else here  
6 today to speak on V-21-04, Mandarin Road?

7 AUDIENCE MEMBERS: (No response.)

8 THE CHAIRMAN: Seeing none, I'll close the  
9 public hearing and bring it back to the  
10 Commission.

11 COMMISSIONER HACKER: Mr. Chairman, I move  
12 to approve V-21-04.

13 COMMISSIONER MOLDOVAN: Second.

14 THE CHAIRMAN: All right. I have a motion  
15 and second for approval of V-21-04.

16 Discussion from the Commission?

17 Commissioner Blanchard.

18 COMMISSIONER BLANCHARD: Thank you,  
19 Chairman.

20 So just to answer the question, I think  
21 the answer was it's going to be behind the  
22 house, not up front.

23 But through the Chair to staff, by right  
24 couldn't he build a steel metal building  
25 10 feet from the property line up to 35 feet in

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39

1 height?

2 MR. HUXFORD: Given the size of the  
3 property, as long as he meets the principal  
4 structure setback, he can build it up to the  
5 height of the house. Actually, it's almost an  
6 acre. Once you hit that acre threshold, then  
7 you can go up to 35 feet regardless of the  
8 height of your house. And the zoning for this  
9 area is for one-acre size lots.

10 COMMISSIONER BLANCHARD: Right. So I  
11 guess my point is that, when you get properties  
12 in a community that don't have deed  
13 restrictions, you get a lot of flexibility.  
14 And so I think he has the right to do the  
15 things that you're afraid he'll do, but he's  
16 not doing it, so I think it's a win for  
17 everybody, if that makes sense.

18 No further comments, Chairman.

19 THE CHAIRMAN: Thank you, Commissioner  
20 Blanchard.

21 Further discussion from the Commission?  
22 Commissioner Moldovan.

23 COMMISSIONER MOLDOVAN: Thank you,  
24 Mr. Chairman.

25 I just wanted to quickly say, I agree.

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40

1 You know, by right he can go up to the height  
2 of the house, so I think that would alleviate  
3 that concern. And also I think for property  
4 values, I would imagine replacing a dilapidated  
5 accessory structure with a brand-new one would  
6 not only increase your property values but the  
7 surrounding properties as well, but that's my  
8 personal opinion.

9 I'm in support of this.

10 Thank you, sir.

11 THE CHAIRMAN: Thank you, Commissioner  
12 Moldovan.

13 Further discussion from the Commission?  
14 Commissioner Brown.

15 COMMISSIONER BROWN: Through the Chair to  
16 staff, Folks, I didn't see it, I might have  
17 just missed it, what's the square footage of  
18 the primary residence?

19 MR. HUXFORD: That's a good question. I  
20 don't think the staff report actually says it,  
21 but --

22 COMMISSIONER BROWN: Through the Chair to  
23 the applicant --

24 MR. HUXFORD: It would be double of the --  
25 hang on a second. I'll do some quick math for

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41

1 you.

2 MR. CRUTCHFIELD: It's approximately  
3 2,400.

4 (Simultaneous speaking.)

5 THE CHAIRMAN: Sir -- sorry. I know it's  
6 frustrating. It's --

7 MR. HUXFORD: It's just over 2,400 square  
8 feet.

9 COMMISSIONER BROWN: Okay. I don't have a  
10 lot of concern over this. It's a large parcel.  
11 It's going to be not in excess of the height of  
12 the primary. This is bigger than we usually  
13 do. We've not approved ones that were less  
14 extreme than this, so -- I think because it's a  
15 large parcel, a fairly wooded area, and it's at  
16 the rear and you access from Huntington and not  
17 Mandarin, I don't personally have a problem  
18 with it, but I did want to point out, you know,  
19 we don't have a 6,000-square-foot house in  
20 front with a 3,000-square-foot garage. We've  
21 got 2,400 with a 3,100 [sic] garage. So it's a  
22 little bigger in scope than we typically see.

23 Again, I could get behind it. I just  
24 wanted to point that out, make sure  
25 everybody -- because the staff report didn't

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42

1 have the primary residence square footage, I  
2 wanted to bring it up.

3 THE CHAIRMAN: Thank you, Commissioner  
4 Brown.

5 Further discussion from the Commission?

6 COMMISSION MEMBERS: (No response.)

7 THE CHAIRMAN: All right. Seeing none, I  
8 have a motion and a second for approval.

9 All those in favor?

10 COMMISSION MEMBERS: Aye.

11 THE CHAIRMAN: Any opposed?

12 COMMISSION MEMBERS: (No response.)

13 THE CHAIRMAN: That motion passes --

14 Thank you.

15 MR. CASEY: Thank you.

16 THE CHAIRMAN: -- unanimously.

17 Thanks.

18 All right. Could we please go to

19 MM-21-07, Gran Bay Parkway.

20 MR. LEWIS: Thank you, Mr. Chairman.

21 I'm going to talk about both MM-21-07 and

22 MM-21-08. Both of these minor modifications

23 cover one parcel. This parcel is over two

24 different PUDs and two different DRIs, so

25 that's the need for the two applications. But

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43

1 they are for a minor modification to a PUD that  
2 is seeking to add the multifamily use that's  
3 allowed by the conversion table in the DRI to  
4 this parcel. This is next to the Citicorp  
5 building that's in Flagler Center. There is  
6 also an ordinance, 2021-200, which has been  
7 introduced at City Council to revise the  
8 Gran Park DRI with that.

9 We have allowed similar and -- minor  
10 modifications to add or increase the number of  
11 multifamily units. We feel this is an  
12 appropriate location, and the Department is  
13 recommending approval of MM-21-07 and MM-21-08.

14 THE CHAIRMAN: Thank you, Bruce.

15 (Audience member approaches the podium.)

16 THE CHAIRMAN: Mr. Spofford.

17 AUDIENCE MEMBER: For the record, Ray  
18 Spofford, 14775 Old St. Augustine Road,  
19 Jacksonville, 32258.

20 THE CHAIRMAN: And Ms. Tropa will swear  
21 you in.

22 THE REPORTER: If you would raise your  
23 right hand for me, please.

24 MR. SPOFFORD: (Complies.)

25 THE REPORTER: Do you affirm that the  
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44

1 testimony you are about to give will be the  
2 truth, the whole truth, and nothing but the  
3 truth?

4 MR. SPOFFORD: Yes, I do.

5 THE REPORTER: Thank you.

6 MR. SPOFFORD: Okay. Here on behalf of  
7 Citicorp, the owner of the land, and Davis  
8 Development, who has the land under contract  
9 for purchase for a luxury apartment community.

10 Davis has done a couple of other luxury  
11 apartment communities in Flagler Center.

12 The request, just to clarify, is really  
13 just to allow multifamily as a use on the  
14 subject property. We're not adding any  
15 additional units to the DRI or the PUD, so --  
16 the north one-third is in Flagler Center and  
17 the south two-thirds of the site is in Bartram  
18 Park, and that's the reason for the two PUD  
19 minor mods.

20 I'll answer any questions you have.

21 THE CHAIRMAN: Thank you, Mr. Spofford.

22 Is there anyone else here today -- I do  
23 have two speakers in support for this matter,  
24 if they wish to speak.

25 I have a Gray --

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45

1 MR. SPOFFORD: Gray and Fred with --  
2 they're with Davis Development.  
3 THE CHAIRMAN: They are. Okay. And are  
4 they present today?  
5 MR. SPOFFORD: Yes, they are.  
6 THE CHAIRMAN: Would they care to speak  
7 or --  
8 AUDIENCE MEMBER: Just here for questions,  
9 if necessary.  
10 THE CHAIRMAN: Okay. Thank you, sir.  
11 Well, with that, is there anyone else here  
12 today, besides Gray and Fred, who would like to  
13 speak on this matter?  
14 AUDIENCE MEMBERS: (No response.)  
15 THE CHAIRMAN: All right. Seeing none,  
16 I'll close the public hearing and bring it back  
17 to the Commission.  
18 COMMISSIONER HACKER: Mr. Chairman, I move  
19 to approve MM-21-07.  
20 COMMISSIONER MOLDOVAN: Second.  
21 THE CHAIRMAN: All right. I have a motion  
22 and a second for approval of MM-21-07.  
23 Any discussion from the Commission?  
24 COMMISSION MEMBERS: (No response.)  
25 THE CHAIRMAN: Seeing none, I have a  
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46

1 motion and a second for approval.  
2 All those in favor?  
3 COMMISSION MEMBERS: Aye.  
4 THE CHAIRMAN: Any opposed?  
5 COMMISSION MEMBERS: (No response.)  
6 THE CHAIRMAN: That motion passes.  
7 MR. SPOFFORD: Thank you.  
8 THE CHAIRMAN: Yes, sir.  
9 COMMISSIONER HACKER: Mr. Chairman, I move  
10 to approve MM-21-08.  
11 COMMISSIONER MOLDOVAN: Second.  
12 THE CHAIRMAN: All right. I have a motion  
13 and a second for approval of MM-21-08.  
14 Any discussion from the Commission?  
15 COMMISSION MEMBERS: (No response.)  
16 THE CHAIRMAN: Seeing none, I have a  
17 motion and a second for approval.  
18 All those in favor?  
19 COMMISSION MEMBERS: Aye.  
20 THE CHAIRMAN: Any opposed?  
21 COMMISSION MEMBERS: (No response.)  
22 THE CHAIRMAN: That motion passes as well.  
23 All right. Could we please go to  
24 2021-0199, Bailey [sic] Road.  
25 MR. HUXFORD: Thank you, Mr. Chairman.  
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47

1 Ordinance 2021-0199 is for property at  
2 7968 Bailey Body Road. This is just south of  
3 the intersection of Arlington Road and Atlantic  
4 Boulevard, seeking to rezone property from  
5 CCG-1, CCG-2 and RMD-A to the PBF-1 zoning  
6 district.  
7 The City has acquired this 3-acre site and  
8 it would -- and intends to build a new fire  
9 station there.  
10 Staff had no objections and we recommend  
11 approval.  
12 THE CHAIRMAN: Thank you, Folks.  
13 Would the applicant please come forward  
14 for 2021-0199, Bailey [sic] Road.  
15 MR. HUXFORD: We are the applicant.  
16 THE CHAIRMAN: Yes. Okay. I knew that.  
17 All right. Is there anyone else here  
18 today to speak on 2021-0199?  
19 AUDIENCE MEMBERS: (No response.)  
20 THE CHAIRMAN: Seeing none, I'll close the  
21 public hearing and bring it back to the  
22 Commission.  
23 COMMISSIONER HACKER: Mr. Chairman, I move  
24 to approve 2021-0199.  
25 COMMISSIONER MOLDOVAN: Second.  
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48

1 THE CHAIRMAN: I have a motion and a  
2 second for approval of 2021-0199.  
3 Any discussion from the Commission?  
4 COMMISSION MEMBERS: (No response.)  
5 THE CHAIRMAN: Seeing none, I have a  
6 motion and a second for approval.  
7 All those in favor?  
8 COMMISSION MEMBERS: Aye.  
9 THE CHAIRMAN: Any opposed?  
10 COMMISSION MEMBERS: (No response.)  
11 THE CHAIRMAN: That motion passes.  
12 Could we please go to 2021-0195, Max  
13 Leggett Parkway, Phase II.  
14 MR. LEWIS: This is application for a  
15 Planned Unit Development. 2021-0195 is  
16 rezoning 74 acres from PUD to PUD. The  
17 rezoning is being sought to increase the number  
18 of residential units allowed on Parcel B from  
19 90 to 145. Also, the current -- the current  
20 PUD also included the following restrictions on  
21 townhomes: Each building shall contain at  
22 least two units and no more than ten units;  
23 there shall be an attached garage; there shall  
24 be an additional guest parking space for every  
25 four units; and there will be no parking in the  
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49

1 streets or road right-of-ways.

2 The PUD is requesting that criteria --  
3 well, I'll say the number of units per  
4 building, the attached garage and the parking  
5 in the streets be deleted to accommodate this  
6 new building type that they are proposing.

7 Staff has reviewed this application. We  
8 find it's consistent with the Comprehensive  
9 Plan. The PUD does allow for multifamily  
10 units, but they just did not anticipate this  
11 type of unit that they're proposing, which is  
12 without garages but has street parking.

13 So, with that, we are recommending  
14 approval of 2021-0195 with the three exhibits  
15 and the two conditions in the staff report.

16 THE CHAIRMAN: Thank you, Bruce.

17 (Audience member approaches the podium.)

18 THE CHAIRMAN: Yes, sir.

19 AUDIENCE MEMBER: William Michaelis, 1301  
20 Riverplace Boulevard, Suite 1500.

21 This is property off Max Leggett Parkway,  
22 just west of Main Street. It's just north of  
23 the site where the new VA clinic is going to  
24 go, just to orient you.

25 As Mr. Lewis said, kind of the main reason  
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50

1 we're here is the increase in the number of  
2 units and then also -- these are townhomes, but  
3 with more, like, apartment-style parking,  
4 which, given the narrow site and -- and some  
5 developers that were consulted, that's worked  
6 better with some of this townhome product,  
7 making sure you don't have cars hanging over  
8 sidewalks and -- and things like that. So it's  
9 that kind of on-street parking. So that's --  
10 that's the reason for those changes in those  
11 townhome development criteria that were in  
12 there before.

13 So, with that, we're acceptable to the  
14 conditions in the staff report, which were just  
15 brought forward from the prior PUD that -- or  
16 the current PUD that affects this site. We've  
17 worked with the district councilman on this and  
18 we're not aware of any concerns or opposition  
19 from surrounding neighbors.

20 So, with that, I'm happy to take any  
21 questions.

22 THE CHAIRMAN: Great. Thank you,  
23 Mr. Michaelis.

24 Is there anyone else here today to speak  
25 on 2021-0195?

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51

1 AUDIENCE MEMBERS: (No response.)

2 THE CHAIRMAN: Seeing none, I'll close the  
3 public hearing and bring it back to the  
4 Commission.

5 COMMISSIONER HACKER: Mr. Chairman, I move  
6 to approve 2021-0195.

7 COMMISSIONER MOLDOVAN: Second.

8 THE CHAIRMAN: Yes, Paige.

9 MS. JOHNSTON: Through the Chair, I think  
10 the staff report had conditions. Mr. Hacker  
11 moved it with approval. I just want to clarify  
12 for the record whether he intended the  
13 conditions to apply.

14 COMMISSIONER HACKER: Sorry about that.  
15 Move with the conditions.

16 THE CHAIRMAN: Okay. So we have clarified  
17 that 2021-0195 does move forward with  
18 conditions. We're in a posture of a motion and  
19 second for approval.

20 Any discussion from the Commission?  
21 Commissioner Brown.

22 COMMISSIONER BROWN: Just real briefly,  
23 William, can you speak to what the product  
24 looks like? I was hearing that -- no garage,  
25 but you park -- street parking right in front?

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52

1 MR. MICHAELIS: Correct, yes. We don't  
2 have renderings or anything like that, at least  
3 not that I've seen. But yes, they won't have  
4 garages. They'll be townhome units. It's kind  
5 of what you would normally see, but no garage  
6 and then on-street parking. If you look at the  
7 site plan, there's perpendicular on-street  
8 parking along the access drive into the site.  
9 So, again, that allows for -- it's kind of a  
10 narrow site, basically no driveway. Kind of  
11 more like court-style townhomes with the  
12 parking on the street to avoid -- and the  
13 perpendicular parking so you don't have cars  
14 parked on the street and clogging up the  
15 right-of-way. You have plenty of -- plenty of  
16 access drive but then with your perpendicular  
17 on either side.

18 COMMISSIONER BROWN: Okay. I'm not trying  
19 to mess with your site plan. I was just trying  
20 to get a vision of what it would look like. So  
21 it's probably like two parking spots in front  
22 of the unit, something like -- on the street?

23 MR. MICHAELIS: They're not necessarily --  
24 they don't have to be directly in front of the  
25 unit, but roughly that's how it works out,

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53

1 correct.  
2 COMMISSIONER BROWN: Okay.  
3 THE CHAIRMAN: Thank you, Commissioner  
4 Brown.  
5 Further discussion from the Commission?  
6 COMMISSION MEMBERS: (No response.)  
7 THE CHAIRMAN: Seeing none, I have a  
8 motion and a second for approval with  
9 conditions.  
10 All those in favor?  
11 COMMISSION MEMBERS: Aye.  
12 THE CHAIRMAN: Any opposed?  
13 COMMISSION MEMBERS: (No response.)  
14 THE CHAIRMAN: All right. That motion  
15 passes.  
16 MR. MICHAELIS: Thank you.  
17 THE CHAIRMAN: Thank you, William.  
18 All right. Could we please go to  
19 2021-0196.  
20 MR. LEWIS: This is application for  
21 Planned Unit Development 2021-0196. It's  
22 rezoning 18 acres from CCG-1 to CCG-2 to PUD.  
23 This is the Town and Country shopping center on  
24 University Boulevard and Arlington Expressway.  
25 The PUD is being sought to allow for a  
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54

1 maximum of 90 multifamily units, along with the  
2 retail, commercial and service establishments.  
3 The PUD is also asking for relaxation from  
4 certain sections of the Renew Arlington Zoning  
5 Overlay. The existing McDonald's and gas  
6 stations are not part of this rezoning that are  
7 there.  
8 Staff has reviewed this application. We  
9 find it's consistent with the Comprehensive  
10 Plan. This is in the CGC land use category,  
11 which does require a mix of -- which says that  
12 multifamily cannot be a hundred percent of the  
13 use there with this. And with the proposed  
14 mix, it does meet that criteria. We also feel  
15 it meets the internal and external criteria.  
16 The property is within the catalyst area  
17 of the Renew Arlington zoning overlay. This  
18 did go before the Renew Arlington Review Design  
19 Team. Their only recommendation was to -- that  
20 the attached renderings -- or that the proposed  
21 buildings be substantially similar to the  
22 attached renderings that are in the  
23 application.  
24 And with that, staff is recommending  
25 approval of 2021-0196, and there will be four  
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55

1 exhibits and no conditions.  
2 Thank you.  
3 THE CHAIRMAN: Thank you, Bruce.  
4 (Ms. Knighting approaches the podium.)  
5 THE CHAIRMAN: Ms. Knighting.  
6 MS. KNIGHTING: Blair Knighting, 12740  
7 Gran Bay Parkway West, 32258.  
8 THE CHAIRMAN: Great. And no need to  
9 swear you in. You can go ahead.  
10 MS. KNIGHTING: I'm here. We're really  
11 excited about this project. And it's a true  
12 mixed-use project right in that catalyst area  
13 of Arlington. The councilwoman is very in  
14 support of this project. And I'm here if you  
15 guys have any questions.  
16 THE CHAIRMAN: Thank you.  
17 All right. Is there anyone else here  
18 today to speak on 2021-0196?  
19 AUDIENCE MEMBERS: (No response.)  
20 THE CHAIRMAN: Seeing none, I'll close the  
21 public hearing and bring it back to the  
22 Commission.  
23 COMMISSIONER HACKER: Mr. Chairman, I move  
24 to approve 2021-0196.  
25 COMMISSIONER MOLDOVAN: Second.  
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56

1 THE CHAIRMAN: I have a motion and a  
2 second for approval of 2021-0196.  
3 Any discussion from the Commission?  
4 Commissioner Hacker.  
5 COMMISSIONER HACKER: Thank you,  
6 Mr. Chairman.  
7 I guess -- I think this is a cool concept.  
8 I appreciate what they've done with the Town  
9 and Country shopping center so far for sure,  
10 but it's a little ironic that we're asking for  
11 some relaxation of the CRA and this is, like,  
12 the catalyst or the -- kind of the entry of the  
13 CRA. Can you speak to the specifics of what  
14 they're wanting to relax?  
15 MS. KNIGHTING: Sure. Absolutely.  
16 So this is actually the first project that  
17 that overlay has gone through in terms of real  
18 projects. You know, they just wrote that code  
19 and this is the first real project that's gone  
20 through, so I'm sure there are some kinks to  
21 work out. And it's a mixed-use project, so  
22 that's typically -- those are the hardest ones  
23 to meet strict code, so some of the relaxations  
24 we are asking for -- for example, one of the --  
25 one of the overlay [sic] requires that the  
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2021-374  
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57

1 buildings face the street and not be more than  
2 10 feet away from the street.

3 (Microphone failure.)

4 MS. KNIGHTING: I'm trying to -- so our  
5 main multifamily building does front along  
6 University Boulevard, but we're requesting not  
7 to have the other buildings front the off-ramp  
8 from Arlington Expressway. So it doesn't quite  
9 meet the code, but we are -- the intent of the  
10 code is met so that main building is along  
11 University Boulevard, but the ramp we're trying  
12 to push away so those buildings are closer to  
13 the food court. So those are the kinds of  
14 relaxations we're asking for.

15 COMMISSIONER HACKER: Have you guys gotten  
16 a recommendation for approval from the CPAC?

17 MS. KNIGHTING: You know, I'm not quite  
18 sure. I know we have approval for the -- from  
19 the RADAR group and -- but I'm not sure about  
20 the CPAC.

21 COMMISSIONER HACKER: All right. I get  
22 that relaxation. No one wants to look at the  
23 on-ramp or the Arlington Expressway, so that  
24 makes sense. It seems like a cool project.  
25 I'm in support of it.

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58

1 MS. KNIGHTING: Thank you.

2 THE CHAIRMAN: Thank you, Commissioner  
3 Hacker.

4 Further discussion from the Commission?  
5 Commissioner Brown.

6 COMMISSIONER BROWN: Thank you.

7 Through the Chair, I remember when this  
8 property transacted. I was kind of scratching  
9 my head, wondering what they were going to do.  
10 I'm looking at the site plan now. You know,  
11 this is pretty bold and I like it. I'm very  
12 familiar with the area. I used to own a  
13 property on Caliente around the corner. This  
14 area could really use a shot in the arm. It's  
15 right as you come into Arlington. It's kind of  
16 the face. And it's bold, but I hope it goes  
17 really well. I think the shipping container,  
18 food court park -- I'd love to see more of this  
19 stuff coming to Jacksonville, getting people  
20 outdoors, a little more community, so -- a  
21 chance to love thy neighbor.

22 Thank you.

23 MS. KNIGHTING: Thank you.

24 THE CHAIRMAN: Thank you, Commissioner  
25 Brown.

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59

1 Further discussion from the Commission?

2 COMMISSION MEMBERS: (No response.)

3 THE CHAIRMAN: I'll echo what Commissioner

4 Brown said. I think this is a great project.

5 It's textbook; someone jumping out there and

6 trying to revitalize an area of town, being

7 brave. And I'm sure there's a big, old bank

8 loan to do that, so I commend the developer --

9 I believe it's Mr. Sifakis -- for what he's

10 doing there.

11 With that, any further discussion from the  
12 Commission?

13 COMMISSION MEMBERS: (No response.)

14 THE CHAIRMAN: Seeing none, I have a  
15 motion and a second for approval.

16 All those in favor?

17 COMMISSION MEMBERS: Aye.

18 THE CHAIRMAN: Any opposed?

19 COMMISSION MEMBERS: (No response.)

20 MS. KNIGHTING: Thank you all.

21 THE CHAIRMAN: That motion passes  
22 unanimously.

23 Can we please go to 2021-0197.

24 MR. LEWIS: PUD 2021-0197 is rezoning two  
25 acres from PUD to PUD. This is to allow for

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60

1 restaurants and delicatessens with a

2 drive-through facility as a permitted use. The

3 PUD does allow for banks, daycares, retail

4 sales and services, pharmacies and medical and  
5 professional offices.

6 The PUD written description specifically  
7 prohibited restaurants with drive-throughs, but  
8 this is part of the Southpoint DRI that expired  
9 back in 2018. This PUD was considered to be  
10 supporting commercial uses.

11 There are some existing driveways with the  
12 building already. We feel that any -- that  
13 allowing those for a restaurant will be  
14 compatible and will not cause any adverse  
15 impacts, and the Department is recommending  
16 approval of 2021-0197 with the three exhibits  
17 and the one condition. This was a condition  
18 that was originally in the PUD that limited the  
19 square footage to 69,000 square feet.

20 THE CHAIRMAN: Thank you, Bruce.

21 (Ms. Trimmer approaches the podium.)

22 THE CHAIRMAN: Ms. Trimmer.

23 MS. TRIMMER: Cyndy Trimmer, 1 Independent  
24 Drive, Suite 1200.

25 This is the small shopping center on

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61

1 Belfort that's across from St. Vincent's. It's  
2 already built out. We're perfectly fine with  
3 the condition. We're not trying to add any  
4 square footage. This is the one that has the  
5 Jax Federal Credit Union that's historically  
6 been on the side with the drive-through. We're  
7 just looking to add a drive-through use on the  
8 other end of the building. I've got images if  
9 you can't picture it and need to see it. But  
10 this isn't going to be a super intense use  
11 that's going to turn into something like a  
12 McDonald's or a Burger King that they were  
13 afraid of having in this shopping center. It  
14 really will just allow for quick service to  
15 support the office park.  
16 I am available for any questions.  
17 THE CHAIRMAN: Thank you, Ms. Trimmer.  
18 Is there anyone else here today to speak  
19 on 2021-0197?  
20 AUDIENCE MEMBERS: (No response.)  
21 THE CHAIRMAN: All right. Seeing none,  
22 I'll close the public hearing and bring it back  
23 to the Commission.  
24 COMMISSIONER HACKER: Mr. Chairman, I move  
25 to approve 2021-0197 with the three exhibits  
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62

1 and one condition listed in the staff report.  
2 COMMISSIONER MOLDOVAN: Second.  
3 THE CHAIRMAN: I have a motion and a  
4 second for approval of 2021-0197 with the  
5 conditions and exhibits.  
6 Discussion from the Commission?  
7 COMMISSION MEMBERS: (No response.)  
8 THE CHAIRMAN: I do need to declare  
9 ex-parte communication. I spoke with Beth  
10 Breeding, who simply informed me that this  
11 matter would be coming before us today. That  
12 was last Tuesday, whatever date that may have  
13 been, by phone.  
14 Further discussion from the Commission?  
15 Commissioner Hacker.  
16 COMMISSIONER HACKER: Thank you,  
17 Mr. Chairman.  
18 I need to declare ex-parte communication  
19 as well. I spoke to Beth last week sometime.  
20 I do have a quick question for  
21 Ms. Trimmer. Any opposition from the  
22 surrounding neighbors or adjoining businesses?  
23 MS. TRIMMER: Through the Chair to  
24 Commissioner Hacker, no, not that we're aware  
25 of.  
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63

1 COMMISSIONER HACKER: Okay. Thanks.  
2 THE CHAIRMAN: All right. Thank you,  
3 Commissioner Hacker.  
4 Further discussion from the Commission?  
5 COMMISSION MEMBERS: (No response.)  
6 THE CHAIRMAN: Seeing none, I have a  
7 motion and a second for approval.  
8 All those in favor?  
9 COMMISSION MEMBERS: Aye.  
10 THE CHAIRMAN: Any opposed?  
11 COMMISSION MEMBERS: (No response.)  
12 THE CHAIRMAN: That motion passes.  
13 Thank you, Ms. Trimmer.  
14 All right. Could we please go to  
15 2021-0198.  
16 MR. LEWIS: This is application for  
17 Planned Unit Development 2021-0198. It's  
18 rezoning .45 acres from Commercial Office to  
19 PUD. The rezoning is to allow for a maximum of  
20 5,000 square feet of warehouse and office uses.  
21 The need for this PUD arises from the  
22 current zoning district's limitations on  
23 warehousing and building trades contractors.  
24 In addition, they are requesting two additional  
25 uses, but the development will currently allow  
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64

1 all those uses under the -- permitted under the  
2 CO zoning district.  
3 We find that this is consistent with the  
4 Comprehensive Plan. This is in the CGC land  
5 use category. And we find it consistent with  
6 that FLUM. We do feel it meets the external  
7 and internal criteria.  
8 The land just -- adjacent to this was  
9 rezoned to PUD back in 2017 for a similar use,  
10 and so we feel this is an appropriate location  
11 here, and the Department is recommending  
12 approval with the three exhibits and no  
13 conditions.  
14 THE CHAIRMAN: Great. Thank you, Bruce.  
15 (Audience member approaches the podium.)  
16 THE CHAIRMAN: Yes, sir. Your name and  
17 address, please.  
18 AUDIENCE MEMBER: James Fuqua, 1520 Emma  
19 Lane, Neptune Beach, 32266.  
20 THE CHAIRMAN: Great. Thank you. No need  
21 to swear you in. Go ahead, please, sir.  
22 MR. FUQUA: We have no objections to the  
23 staff report. And I can get my engineer on the  
24 line if there's any -- I can get my engineer on  
25 the line if there's any questions.  
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65

1 THE CHAIRMAN: Okay. Great. Thank you,  
2 sir.  
3 All right. Is there anyone else here  
4 today to speak on 2021-0198?  
5 AUDIENCE MEMBERS: (No response.)  
6 THE CHAIRMAN: Seeing none, I'll close the  
7 public hearing and bring it back to the  
8 Commission.  
9 COMMISSIONER HACKER: Mr. Chairman, I move  
10 to approve 2021-0198.  
11 COMMISSIONER MOLDOVAN: Second.  
12 THE CHAIRMAN: I have a motion and a  
13 second for approval of 2021-0198.  
14 Any discussion from the Commission?  
15 COMMISSION MEMBERS: (No response.)  
16 THE CHAIRMAN: Seeing none, I have a  
17 motion and a second for approval.  
18 All those in favor?  
19 COMMISSION MEMBERS: Aye.  
20 THE CHAIRMAN: Any opposed?  
21 COMMISSION MEMBERS: (No response.)  
22 MR. FUQUA: Thank you.  
23 THE CHAIRMAN: Motion --  
24 Thank you, sir.  
25 Commissioner Blanchard, were you just  
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66

1 raising your hand for in favor?  
2 COMMISSIONER BLANCHARD: I was voting in  
3 the affirmative.  
4 THE CHAIRMAN: Very well. Thank you, sir.  
5 Okay. With that, I believe that leaves us  
6 with the last two matters, E-21-16 and  
7 WLD-21-04, San Jose Boulevard.  
8 MR. HUXFORD: Thank you, Mr. Chairman.  
9 Application for zoning exception E-21-16  
10 and its companion WLD-21-04 are for property at  
11 10140 San Jose, the former Village Inn.  
12 Everyone was here at the last Planning  
13 Commission meeting, so I don't need to go back  
14 through the staff report again.  
15 Since the continuance two weeks ago, I  
16 know the applicant has met with the neighbors a  
17 couple of times and I believe he's handing out  
18 stuff to you now, so we'll see where we go.  
19 As a reminder, staff did recommend  
20 approval of the two applications.  
21 Thank you.  
22 THE CHAIRMAN: Thank you, Folks.  
23 Folks, I'm sorry, did that cover both  
24 sides of the matter, the exception and the  
25 waiver?  
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67

1 MR. HUXFORD: Yes, sir. That was for  
2 both.  
3 THE CHAIRMAN: Okay. Great. Thank you,  
4 sir.  
5 (Mr. Duggan approaches the podium.)  
6 THE CHAIRMAN: Mr. Duggan.  
7 MR. DUGGAN: Thank you, Mr. Chairman.  
8 Good afternoon.  
9 I'm pinch-hitting for Mr. Hainline today,  
10 so I appreciate your indulgence in that regard.  
11 THE CHAIRMAN: Sir, your name and address.  
12 MR. DUGGAN: Mr. Chairman, thank you.  
13 Wyman Duggan, 1301 Riverplace Boulevard,  
14 Suite 1500.  
15 THE CHAIRMAN: Thank you.  
16 MR. DUGGAN: Thank you.  
17 THE CHAIRMAN: Go ahead, please, sir.  
18 MR. DUGGAN: Thank you.  
19 Since the last hearing in late April, the  
20 applicant, Mr. Harris, has had several  
21 communications and meetings with various  
22 members of the neighborhood and representatives  
23 on behalf of -- you know, kind of speaking on  
24 behalf of at least some elements of the  
25 neighborhood, several meetings, including one  
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68

1 as recently as yesterday afternoon, about 24  
2 hours ago, 1 o'clock yesterday. So this is the  
3 revised site plan that arises out of those  
4 meetings, including the one most recently,  
5 yesterday.  
6 I know several of you had a phone call, as  
7 I understand it, with Mr. Hainline, relating to  
8 the location of the outside sales -- the  
9 outside patio. So let me just go through the  
10 changes as they relate to comments and issues  
11 that came up at the last hearing and feedback  
12 from the community.  
13 So as you can see on the site plan, the  
14 outside seating has been completely relocated  
15 away from Haley to the San Jose frontage. The  
16 initial plan, which Mr. Hainline communicated  
17 with some of you, had that located at the  
18 northeast corner of the structure. As you can  
19 see, it's now more in the middle, but that  
20 contemplated, at the northeast corner, what I  
21 would call true outside seating. In other  
22 words, tables, chairs, table cloths, a knee  
23 wall or a railing around it, a covering. It  
24 included outside bar stools. As you can see on  
25 the site plan, all of that has now gone away.  
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69

1 As a result of the meeting yesterday that  
2 Mr. Harris and I had with a couple of  
3 representatives on behalf of the community, he  
4 has now downsized, if you will, deintensified  
5 the outside sales and service to three picnic  
6 tables with no outside bar and no outside TVs.  
7 So it will still be outside sales and service.  
8 In case you're wondering, he still intends to  
9 be able to have waiters -- wait staff come out  
10 and serve people, but it's now three picnic  
11 tables.

12 So that's the first change, no longer on  
13 Haley and deintensified to that degree, which  
14 has the follow-on impact, of course, since you  
15 have fewer outside seats, the parking demand  
16 has gone down. So the existing parking, which  
17 was already a surplus, is now even more  
18 over-parked for the number of seats because the  
19 number of outside seats has gone down.

20 As I said, again, the outside bar area,  
21 gone. No outside TVs. There will also be --  
22 this is, again, the result of the  
23 communications and conversations, including as  
24 recently as yesterday. There will now be a  
25 6-foot wood or vinyl fence on Haley. You can

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70

1 see it there on the site plan -- it says "new  
2 fence" -- along the sidewalk there. There will  
3 be landscaping on the inside of the fence, the  
4 business side of the fence, if you will.

5 There was a specific request made at the  
6 meeting yesterday that there be no landscaping  
7 on the outside of the fence, between the fence  
8 and the sidewalk, for public safety reasons.  
9 We're happy to accommodate that request. So  
10 the fence is right up on the -- on the  
11 sidewalk; landscaping on the inside of the  
12 fence; then, of course, you've got five parking  
13 spaces there between the outside seating area  
14 and that fencing that would serve as further  
15 buffering to the Haley frontage.

16 So all of those are changes that have been  
17 made as a result of comments that all of you  
18 made at the last hearing, comments and feedback  
19 from the community that we've heard and  
20 listened to.

21 In addition, the applicant is willing to  
22 condition the applications on there being no  
23 basketball tournament held on this -- on the  
24 site. I've read the transcript from the  
25 hearing. I know that was an issue of

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71

1 contention, so he's willing to give up on that.

2 I want to go through, again, some concerns  
3 and requests that the community has made to go  
4 over, again, the concessions. They wanted a  
5 wall along Haley; we've done that. They had  
6 noise concerns regarding the patio; we've  
7 dramatically downsized that. No bar, no TVs.

8 They're concerned about parking. Well,  
9 the parking -- the site is already over-parked  
10 for the number of seats, and that's only going  
11 to increase now that the number of outside  
12 seats has gone down.

13 They asked that the TVs -- outside TVs be  
14 turned off at 9:00. Now those are completely  
15 eliminated.

16 They've asked for No Parking signs out in  
17 their residential subdivision streets. We're  
18 happy to work with the City to try and get  
19 those put in place. Again, those are public  
20 streets, but we're happy to look to the City  
21 and to the district councilperson to help get  
22 those put in place.

23 Move or cancel the two-day three-on-three  
24 charity basketball tournament for kids. We've  
25 eliminated that. We're willing to condition

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72

1 that.

2 And, of course, the written description  
3 for both applications already committed to  
4 having the crossing guard for safety  
5 considerations.

6 So I know there are folks here who want to  
7 speak in support, who are under a time  
8 constraint, so I'm going to stop here and  
9 answer questions you-all have at this point,  
10 reserve rebuttal, and then, hopefully,  
11 Mr. Chairman, if you could accommodate some  
12 folks who have a time constraint and move on  
13 from there.

14 THE CHAIRMAN: Yes, sir. Would that be  
15 the -- who would have the time constraint?

16 AUDIENCE MEMBERS: (Indicating.)

17 MR. DUGGAN: Any questions for me at this  
18 point?

19 THE CHAIRMAN: No, sir. We're good.  
20 Thank you.

21 MR. DUGGAN: Thank you.

22 THE CHAIRMAN: Ma'am, if you'll go ahead  
23 and come forward, please.

24 (Audience member approaches the podium.)

25 THE CHAIRMAN: And your name and address

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73

1 for the record?

2 AUDIENCE MEMBER: Yes. I'm Marjorie  
3 Rogozinski, 2845 Forest Circle, Jacksonville,  
4 Florida 32257.

5 THE CHAIRMAN: And Ms. Tropia will swear  
6 you in.

7 THE REPORTER: If you would raise your  
8 right hand for me, please.

9 MS. ROGOZINSKI: (Complies.)

10 THE REPORTER: Do you affirm that the  
11 testimony you are about to give will be the  
12 truth, the whole truth, and nothing but the  
13 truth?

14 MS. ROGOZINSKI: Yes, ma'am.

15 THE REPORTER: Thank you.

16 MS. ROGOZINSKI: You're welcome.

17 Good afternoon, members of the Commission.

18 My purpose today is to talk about the  
19 character of Matthew Harris. I think that is  
20 essential that you know the personal side of a  
21 businessman who will hopefully be opening up a  
22 restaurant, Time Out.

23 I have known Matthew since the day he was  
24 born. And his parents, Alan and Debbie, whose  
25 mother is a blessed memory, have been dear

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74

1 friends of our family for more than 30 years.  
2 In fact, his father, Alan, grew up in the  
3 Rogozinski home since high school.

4 I know for a fact that Matthew was raised  
5 with Jewish values, such as love of family, a  
6 sense of community, kindness, and a will to  
7 make the world and community a better place.

8 When Matthew was only 13 he brought the  
9 Chain of Memory when he was a bar mitzvah to  
10 the Jacksonville Jewish Center. He was the  
11 first young man to drape a prayer shawl on an  
12 empty chair which represents every child that  
13 perished in the Holocaust. It will take  
14 150 years for every child to be honored that  
15 was murdered, and this is the program that  
16 Matthew brought to Jacksonville. Many bar  
17 mitzvah teens still carry on this beautiful way  
18 of memorializing a child.

19 Even as a young man, Matthew's character  
20 was exemplary. He is a true mensch, which is a  
21 good soul. He is honest, good-hearted,  
22 sensitive to your needs, and a man of his word.  
23 When Matthew says that he wants to work with  
24 the community, 100 percent he will. After all,  
25 he grew up in Mandarin all his life. Matthew

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75

1 wants the best for his community.

2 I taught 13 years at the Martin J.

3 Gottlieb Day School and I have witnessed

4 Matthew to grow into the fine young man that he  
5 is today. This is who you want to open a  
6 restaurant in our community of Mandarin.

7 Matthew deserves a chance. I could not think  
8 of a more cooperative, honest individual.

9 Matthew Harris deserves his restaurant, Time  
10 Out, to be zoned.

11 Thank you.

12 THE CHAIRMAN: Thank you, ma'am.

13 All right. We'll go through the -- a

14 little bit about the rules of order. So we

15 will be maintaining a three-minute speaking

16 time. There can be no public comment, there

17 can be no speaking from the audience because we

18 have to respect the court reporter and what she  
19 needs to do.

20 So, with that, could we please move to --

21 Mr. Harris, if you'd like to come up.

22 MR. HARRIS: Sure. We have one more  
23 speaker who's on a time crunch.

24 THE CHAIRMAN: Okay. I'll allow one more  
25 speaker.

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76

1 (Audience member approaches the podium.)

2 THE CHAIRMAN: Ma'am, your name.

3 AUDIENCE MEMBER: My name is Jeanine  
4 Rogozinski. I'm speaking in tandem with  
5 Marjorie Rogozinski.

6 THE CHAIRMAN: And, Ms. Rogozinski, your  
7 address?

8 MS. J. ROGOZINSKI: 3223 Front Road,  
9 Jacksonville, Florida 32257.

10 THE CHAIRMAN: Great. And Ms. Tropia will  
11 swear you in.

12 THE REPORTER: If you would raise your  
13 right hand for me, please.

14 MS. J. ROGOZINSKI: (Complies.)

15 THE REPORTER: Do you affirm that the  
16 testimony you are about to give will be the  
17 truth, the whole truth, and nothing but the  
18 truth?

19 MS. J. ROGOZINSKI: It is.

20 THE REPORTER: Thank you.

21 MS. J. ROGOZINSKI: Good afternoon,  
22 members of the Commission and community.

23 I am Jeanine Rogozinski. It is an honor  
24 to address you today on behalf of my friend  
25 Matthew Harris.

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2021-374

ON FILE

77

1 I, like Margie, have lived in  
2 Jacksonville, in the Mandarin community, for  
3 40 years volunteering and fund-raising for  
4 multiple nonprofit agencies. And my husband,  
5 Dr. Chaim Rogozinski, and his brothers has  
6 successfully run the Rogozinski Orthopedic  
7 Clinic for the past 38 years. The Harris  
8 have been friends that long.

9 We have resided in Jacksonville since 1959  
10 and have been members of the Jacksonville  
11 Jewish Center for 60-plus years, which is  
12 directly across the street from the proposed  
13 site.

14 I have been Matt -- I have seen Matt  
15 Harris grow and develop into a successful  
16 entrepreneur with his business, Time Out Sports  
17 Grill. As a result of his vision, Time Out  
18 Sports Grill, he recognizes the potential for  
19 growth in our community of Mandarin with an  
20 expansion of his restaurant, which will replace  
21 a blighted, vacant lot on our otherwise  
22 beautiful San Jose Boulevard.

23 Over the 40 years I have resided here,  
24 San Jose Boulevard has grown from a two-lane  
25 road to a thriving six-lane thoroughfare. All

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78

1 of this has been accomplished due to successful  
2 small businesses. There are numerous  
3 restaurants encircling the proposed location of  
4 Time Out. Most, if not all, like Time Out,  
5 generate 51 percent of their revenue from food  
6 service. Neighboring businesses such as Blue  
7 Bamboo, Carrabba's, Outback and Ale House, all  
8 operate under the same 51 to 49 percent ratio.  
9 As a matter of fact, Chili's and Bone Fish  
10 received the same license that Time Out Sports  
11 Grill has applied for, and they are flourishing  
12 as a restaurant within one mile.

13 As a footnote, to date, the Time Out  
14 Sports Grill on Beach Boulevard, has had zero  
15 accidents involving cars or pedestrians. Like  
16 the original Time Out Sports Grill, the new  
17 proposed restaurant is family-oriented,  
18 sponsoring numerous leagues, such as peewee  
19 football, co-ed softball, and plans to have an  
20 inclusive trivia night, Bingo, and other types  
21 of family sporting games.

22 Matt Harris has gone above and beyond to  
23 take advice from local customers on menu  
24 choices and building design. Matt is also  
25 ensuring neighborhood safety with the

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79

1 establishment of weekly Chabad security on the  
2 boulevard.

3 A final note, the Rogozinski family has  
4 personally suffered and survived anti-Semitism  
5 from the Holocaust. We've experienced this  
6 firsthand. The establishment of Time Out  
7 Sports Grill in no way represents  
8 anti-Semitism, nor will it introduce any such  
9 notion into our community. Matthew and my  
10 Jewish faith is one of inclusiveness and peace.  
11 His restaurant will engender a place where  
12 people and families can gather unconditionally  
13 to enjoy their recreational time without fear  
14 of harm or community ostracism.

15 Thank you.

16 THE CHAIRMAN: Thank you, ma'am. Thanks  
17 for being here.

18 All right. Could we please hear from Matt  
19 Harris.

20 (Mr. Harris approaches the podium.)

21 MR. HARRIS: Good afternoon, Commission.

22 So as you just heard --

23 THE CHAIRMAN: Your name and address,  
24 please.

25 MR. HARRIS: I'm sorry.

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80

1 THE CHAIRMAN: And then Ms. Tropia will  
2 swear you in.

3 MR. HARRIS: Mat Harris, 9446 Silhouette  
4 Lane, Jacksonville, Florida 32257.

5 THE REPORTER: If you would raise your  
6 right hand for me, please.

7 MR. HARRIS: (Complies.)

8 THE REPORTER: Do you affirm that the  
9 testimony you are about to give will be the  
10 truth, the whole truth, and nothing but the  
11 truth?

12 MR. HARRIS: Yes, ma'am.

13 THE REPORTER: Thank you.

14 THE CHAIRMAN: Yes, sir.

15 MR. HARRIS: Commission, we feel like we  
16 have gone above and beyond to make this project  
17 possible. We've worked every day, day and  
18 night, countless phone calls, emails from my  
19 team, how can we make this better?

20 You know, the request from the opposition  
21 was for a wall, so what we did was we Googled  
22 nonstop, like, what do normal restaurants do in  
23 this situation? How is it handled? We wanted  
24 to find the research to do it appropriately.

25 What we found is a 6-foot wall.

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2021-374  
ON FILE

81

1 nonsee-through. And now what we're doing  
2 behind it is 10-foot palm trees. So now  
3 instead of covering an 8-foot radius, which was  
4 requested, we're going to 10.

5 If you see on your plan where that house  
6 is on Haley Road, we get very aggressive with  
7 the trees. This should, basically, totally get  
8 away -- knock out noise complaints, anything  
9 with people out there.

10 And, in essence, I even removed the patio.  
11 All we have now is two to three picnic tables.  
12 So my biggest concern was, people who have  
13 issues with COVID or just want to eat outside,  
14 now we can give them the opportunity. We can  
15 give the privacy to us and we can give it to  
16 the neighbors.

17 Just yesterday we had a couple of  
18 neighbors who didn't really understand the site  
19 plan because it's a long fence I'm putting in.  
20 It goes from almost the handicapped sidewalk to  
21 all the way through the middle of the building.  
22 So this is some very good fencing, very good  
23 privacy and screening.

24 So what we did is we walked it. And he  
25 said, "You know what? There's an area in the

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82

1 back where you can see Chabad. Are you willing  
2 to put a tree there?" I said, "Absolutely."  
3 So we called the rabbi of Chabad. He said,  
4 "Thank you so much, but no thank you. We just  
5 don't want it."

6 We have taken every measure necessary to  
7 make this project possible. I've conceded on  
8 my three-on-three charity basketball  
9 tournament, which I was very passionate about.  
10 We want to go ahead -- we're going to move  
11 that. It's not going to be on the premises.

12 There was complaints about issues of the  
13 patio. We took care of that. Turning the TVs  
14 off outside at 9:00. We don't have any TVs.  
15 There's no TVs, no barstools, no bar, just two  
16 picnic tables.

17 I was asked to hire an off-duty cop. This  
18 is, again, another request that no restaurant  
19 in this city has ever done, but I offered to  
20 have a security guard every Friday night during  
21 Chabad because I know as a Jewish person,  
22 that's when they walk to synagogue. That's  
23 when there could be some issue.

24 During the week, lots of the members drive  
25 cars. You know, it would be very difficult to

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83

1 walk to Publix and carry groceries home. So  
2 I've offered that all year long, every Friday  
3 night, including high holidays. So I took care  
4 of that.

5 Every request that's been thrown at us --  
6 we have done this the best of our ability. We  
7 have assessed this plan over and over again.  
8 I've moved the patio four times, including one  
9 time we offered to take it away. I've done  
10 everything I can to make this project possible  
11 but still allowing me to be a profitable  
12 business.

13 What I'm seeking today is a very common  
14 request for businesses of like mind. Almost  
15 every restaurant out there you go to will have  
16 some sort of liquor. Every business that's  
17 similar to mine; Players Grille, Mudville  
18 Grille, Hurricane's, and Ale House all serve  
19 liquor. It's just part of it. It's  
20 51 percent. It's highly regulated. I submit  
21 two forms to go under audit within the first  
22 two months and then random audits the rest of  
23 the year. It is not a joke. This audit is  
24 very serious. You have to show them invoices.  
25 You have to show them that everything matches

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84

1 up.

2 So I hope the Commission really takes that  
3 seriously, of -- for how hard we've worked, and  
4 I'm open to any questions.

5 THE CHAIRMAN: Great. Thank you,  
6 Mr. Harris.

7 All right. Can we please hear from Ramzy  
8 Bakkar.

9 (Audience member approaches the podium.)

10 THE CHAIRMAN: Yes, sir. Your name and  
11 address, please.

12 AUDIENCE MEMBER: Ramzy Bakkar, 320 North  
13 1st Street, Suite 706, Jacksonville Beach.

14 THE CHAIRMAN: Great. And Ms. Tropa will  
15 swear you in.

16 THE REPORTER: If you would raise your  
17 right hand for me, please.

18 MR. BAKKAR: (Complies.)

19 THE REPORTER: Do you affirm that the  
20 testimony you are about to give will be the  
21 truth, the whole truth, and nothing but the  
22 truth?

23 MR. BAKKAR: I do.

24 THE REPORTER: Thank you.

25 MR. BAKKAR: I'm one of the owners of the

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85

1 property, and at the last hearing I sat down in  
2 front of this commission and told -- told you  
3 that I could have leased this property to other  
4 types of businesses. I talked about the  
5 cannabis dispensaries, the hookah lounges and  
6 the gas stations who all had interest on this  
7 property, who -- I decided not to lease to  
8 those types because they would diminish the  
9 integrity of the surrounding community.  
10 I told you that I did select Time Out  
11 Sports Grill because I believe in Matt Harris  
12 and his vision for his restaurant. And today  
13 I'm proud to say that Matt Harris has not let  
14 me down. He has met with the residents, he has  
15 listened to their concerns, and he went back to  
16 his architect and modified his restaurant floor  
17 and site plan to help accommodate the  
18 residents' concerns.  
19 He moved the entire patio, which was  
20 positioned along the side of the building, off  
21 of Haley Road, to now in front. Furthermore,  
22 he put a 6-foot -- a nonsee-through fence with  
23 landscaping all along it, on the south side of  
24 the building, facing Haley Road, to address the  
25 residents' screening concerns.

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86

1 The surrounding community are very  
2 fortunate to have someone like Matt Harris who  
3 cares for the community, who listens to their  
4 concerns, and then changed his course of action  
5 to help accommodate their concerns. Not all  
6 tenants are like this, especially the national  
7 tenants, they're not as accommodating.  
8 I spoke about the restaurant and how it's  
9 commensurate with the surrounding areas and how  
10 it's located in a commercial corridor where you  
11 have similar type businesses, you have also  
12 shopping centers, gas stations, and grocery  
13 stores.  
14 I went on to mention to you guys about the  
15 Zoning Code, Section 656.133, which is the  
16 waiver of minimum distance requirements for a  
17 liquor license located -- location. Time Out  
18 Sports Grill meets Items 4 and 5 of Subsection  
19 A when the Zoning Code only requires to meet  
20 one item to be eligible for the waiver.  
21 I believe since the property is located in  
22 a commercial corridor, the use of the property  
23 is commensurate with the surrounding retail.  
24 The property meets not one, but two of the  
25 waiver provisions of the Zoning Code. And,

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87

1 finally, Matt Harris modified his plans to help  
2 accommodate the residents' concerns, that the  
3 patio area and the service of alcohol should be  
4 permissible.  
5 THE CHAIRMAN: Great. Thank you,  
6 Mr. Bakkar.  
7 Next, could we please hear from Jack  
8 Demetree.  
9 (Audience member approaches the podium.)  
10 AUDIENCE MEMBER: Hi. Jack Demetree, 2064  
11 Herschel Street.  
12 THE CHAIRMAN: Could you check to see if  
13 that green light is on?  
14 MR. DEMETREE: (Complies.)  
15 THE CHAIRMAN: Great. Thank you.  
16 MR. DEMETREE: Is that good?  
17 THE CHAIRMAN: Yeah. And if you would get  
18 closer to it, that would help us.  
19 MR. DEMETREE: No problem.  
20 THE CHAIRMAN: All right. And Ms. Tropia  
21 will swear you in.  
22 THE REPORTER: If you would raise your  
23 right hand for me, please.  
24 MR. DEMETREE: (Complies.)  
25 THE REPORTER: Do you affirm that the

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88

1 testimony you are about to give will be the  
2 truth, the whole truth, and nothing but the  
3 truth?  
4 MR. DEMETREE: I do.  
5 THE REPORTER: Thank you.  
6 MR. DEMETREE: So I'm here to support  
7 Matthew. I've known him for a long time. I  
8 could sit here and talk about parking. They  
9 meet the parking requirement, so I'm not really  
10 sure why that's an issue. He's gone, to me,  
11 above and beyond, more than I would have ever  
12 given up, to be honest. I own two restaurants  
13 here in town. So the, you know, view I can  
14 give you from a restaurant owner and the SRX  
15 license, which is the license he's seeking,  
16 it's a big help for business. We own The Local  
17 at the beach. And without that, I'm not sure  
18 we'd have gotten through COVID.  
19 I don't think an SRX license and I don't  
20 think a liquor license immediately translates  
21 into a bar or into, you know, anything more  
22 than what it is. Again, we can look at the  
23 surrounding area. We can look at the  
24 demographics and say, okay, how many  
25 restaurants have liquor, how many restaurants

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89

1 act as a restaurant.

2 And I'm in full support of this. I think  
3 he's gone, again, above and beyond and has  
4 given up and done more than, frankly, I would  
5 have been willing to do, so I'll give him  
6 credit on that end.

7 And that's really all I've got. I  
8 appreciate it.

9 THE CHAIRMAN: Great. Thank you,  
10 Mr. Demetree.

11 All right. Next, could we please hear  
12 from Winship Dowell.

13 (Audience member approaches the podium.)

14 AUDIENCE MEMBER: How's it going?

15 THE CHAIRMAN: Your name and address,  
16 please.

17 AUDIENCE MEMBER: Winship Dowell, 855  
18 Mapleton Terrace.

19 THE CHAIRMAN: And Ms. Tropia will swear  
20 you in.

21 THE REPORTER: If you would raise your  
22 right hand for me, please.

23 MR. DOWELL: (Complies.)

24 THE REPORTER: Do you affirm that the  
25 testimony you are about to give will be the

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90

1 truth, the whole truth, and nothing but the  
2 truth?

3 MR. DOWELL: I do.

4 THE REPORTER: Thank you.

5 MR. DOWELL: I'm a property manager here  
6 in Jacksonville. I grew up in Mandarin. This  
7 business is only going to help support -- like,  
8 support the community. Nothing's been there  
9 for a long time. I own houses right behind  
10 there on Scott Circle. I have clients that are  
11 in the area and they're looking for someplace  
12 to go other than Ale House and other than what  
13 has been presented in that area. And I truly  
14 believe that allowing Matt to put something in  
15 like this will only benefit the area and bring  
16 people -- and bring property values up, which  
17 is extremely important.

18 So thank you.

19 THE CHAIRMAN: Thank you. Thanks for  
20 being here.

21 Could we please hear next from Sterling  
22 Warner.

23 (Audience member approaches the podium.)

24 AUDIENCE MEMBER: Good afternoon.

25 Sterling Warner, 2803 Village Grove Drive

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91

1 North.

2 THE CHAIRMAN: Great. And Ms. Tropia will  
3 swear you in.

4 THE REPORTER: If you would raise your  
5 right hand for me, please.

6 MR. WARNER: (Complies.)

7 THE REPORTER: Do you affirm that the  
8 testimony you are about to give will be the  
9 truth, the whole truth, and nothing but the  
10 truth?

11 MR. WARNER: I do.

12 THE REPORTER: Thank you.

13 MR. WARNER: Good afternoon.

14 I grew up in the Mandarin area and now I  
15 live just a few minutes' walk away with my wife  
16 and kids.

17 I first heard about this in the Business  
18 Journal and I only met Matthew a few days ago  
19 when I messaged him to say I supported his  
20 efforts as an entrepreneur and as a business  
21 owner to utilize this property in this way.  
22 And I don't not think that people should oppose  
23 it.

24 I own several businesses, involved in  
25 commercial real estate, as well as other

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92

1 things, and I realize how difficult it can be  
2 to get things done, in addition to all the  
3 things you have to do to make sure the business  
4 is just normally successful in the course of --  
5 of your world. You have to deal with cover  
6 regulation and win over the support --

7 THE CHAIRMAN: Slow down a little bit.

8 MR. WARNER: I'm sorry.

9 You have to also win over the support of  
10 the local community. And it -- from what we've  
11 heard today, it seems like Matthew has gone  
12 above and beyond to try to do that.

13 Unfortunately, it seems like you're always  
14 going to have more people that are willing to  
15 speak out against you in a meeting like this  
16 than you are that are going to come to support  
17 you. People simply don't have the  
18 determination to come to a meeting in -- for  
19 things that they support many times.

20 I assumed this would be the case when I  
21 read about it in the Business Journal, which is  
22 why I messaged him and I've been commenting  
23 favorably on it in the news articles that have  
24 been going around on the situation. And I  
25 think that actually the silent majority of

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93

1 people would, in fact, support this if they  
2 were asked to have an opinion and given all of  
3 the facts.

4 As a business owner myself, I know how  
5 important it is to maximize every revenue  
6 stream. A few dollars extra per customer can  
7 make a huge impact on a business's bottom line  
8 and especially can be the difference between  
9 success and failure, especially with a  
10 restaurant where margins can often be razor  
11 thin.

12 And also, with COVID and the times that  
13 we're in right now, all businesses and  
14 restaurants are under strain. For instance,  
15 that's why the State allowed other businesses  
16 to take -- to go alcohol, as a means of helping  
17 them. And so I think, given the current  
18 situation, we should be doing everything we can  
19 to assist new businesses as being successful,  
20 helping them to decrease costs, decrease the  
21 regulatory burden on them and allowing them all  
22 possible revenue streams.

23 (Discussion held off the record.)

24 MR. WARNER: I'm sorry, am I speaking  
25 too --

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94

1 I guess I would also note, this isn't some  
2 big, national business that we're helping here.  
3 We're helping a local business owner, his  
4 family, his employees, and I think the  
5 community in general. I think this business --  
6 this is exactly the kind of business that we  
7 need in this area. I think it would be good  
8 for the area, good for competition. It's going  
9 to increase competition with the other  
10 surrounding restaurants, which I think will  
11 only increase -- will only be a positive for  
12 the consumer. Competition decreases prices,  
13 increases quality, and decreases the costs, so  
14 I respectfully ask that you support this.

15 Thank you.

16 THE CHAIRMAN: Thank you, Mr. Warner.

17 All right. Next, could we please hear  
18 from Martin Harm.

19 (Audience member approaches the podium.)

20 AUDIENCE MEMBER: Martin Harm, 1535  
21 Parkwood Street.

22 THE CHAIRMAN: And Ms. Tropa will swear  
23 you in. And if you would get into the mic for  
24 us.

25 MR. HARM: (Complies.)

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95

1 THE REPORTER: If you would raise your  
2 right hand for me, please.

3 MR. HARM: (Complies.)

4 THE REPORTER: Do you affirm that the  
5 testimony you are about to give will be the  
6 truth, the whole truth, and nothing but the  
7 truth?

8 MR. HARM: I do.

9 THE REPORTER: Thank you.

10 MR. HARM: Good afternoon, Commission.

11 You might remember me from last meeting.

12 I'm the guy that enjoys eating outside and --

13 I'm the guy that enjoys eating outside, but  
14 anyway, I also do a lot of walking. I live in  
15 the San Marco area but spend a lot of time in  
16 Mandarin. You can imagine, living in San  
17 Marco, I naturally walk everywhere. I walk  
18 when I go to eat, go to have a drink, feel like  
19 exercising.

20 Now, at the last meeting I heard somebody  
21 on -- somebody had mentioned that Haley Road  
22 was one of the most walkable, friendly areas in  
23 Jacksonville. I took it upon myself to do some  
24 research and none of the listings on Google as  
25 far as walkability or bike-friendliness don't

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96

1 list Haley Road in the top ten. We hear  
2 answers on that -- these listings, like  
3 San Marco, Riverside, Murray Hill and Avondale,  
4 but -- surprisingly, even Normandy made that  
5 list, but not Haley Road.

6 I'd also like to say that I think the  
7 security guard on Friday nights is an extremely  
8 nice concession. It seems crossing the street  
9 is an issue. I also know the crosswalk that  
10 goes along San Jose from Haley Road has  
11 security cameras. It counts down from 30  
12 seconds to show when time is expiring. It's  
13 clear adding a security guard to this  
14 intersection will only make the neighborhood  
15 safer. I also know the security guard does not  
16 come free. Mr. Harris is willing to spend  
17 thousands of dollars on safety for something  
18 that no other restaurant does. I'm hoping it  
19 will be given the opportunity to be a  
20 full-service restaurant.

21 If y'all are interested, I have some of  
22 those listings here.

23 THE CHAIRMAN: Sir, you're welcome to read  
24 them or submit them into the public record.

25 If you'll bring them up, we'll make sure

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97

1 they get there.  
2 MR. HARM: (Tenders document.)  
3 THE CHAIRMAN: I'll pass them out.  
4 MR. HARM: Appreciate it.  
5 THE CHAIRMAN: All right. Thank you, sir.  
6 Thank you for being here.  
7 We have this and we'll make sure that  
8 Ms. Sales gets this added into the public  
9 record.  
10 Could we please hear from Susan Eaglstein.  
11 (Audience member approaches the podium.)  
12 AUDIENCE MEMBER: Susan Eaglstein, 2661  
13 Riverport Drive North, 32223.  
14 THE CHAIRMAN: Great. And Ms. Tropia will  
15 swear you in.  
16 THE REPORTER: If you would raise your  
17 right hand for me, please.  
18 MS. EAGLSTEIN: (Complies.)  
19 THE REPORTER: Do you affirm that the  
20 testimony you are about to give will be the  
21 truth, the whole truth, and nothing but the  
22 truth?  
23 MS. EAGLSTEIN: Yes.  
24 Thank you.  
25 THE REPORTER: Thank you.

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98

1 MS. EAGLSTEIN: Thank you for your time in  
2 allowing me to say a few words in support of  
3 the variance for Time Out Mandarin.  
4 I've lived in Mandarin and been a Florida  
5 resident for over 35 years. I speak to you  
6 today from the perspective of a grandmother of  
7 two boys, mother of two sons, and someone who  
8 has volunteered her time and financially  
9 supported many causes, especially our local  
10 Jewish agencies and synagogues. I currently  
11 serve as treasurer of Jacksonville Jewish  
12 Federation, the nonprofit umbrella organization  
13 for raising money for local and international  
14 needs.  
15 I've served on many boards and  
16 participated and planned many fund-raising  
17 efforts. In the process, I was fortunate to  
18 meet many wonderful people, many of which feel  
19 as I do, but feel they cannot speak.  
20 For what I saw on the news, online, and  
21 social media, the major concern is safety,  
22 especially for crossing San Jose Boulevard  
23 going to the synagogue. Changes were made to  
24 the crosswalk and timing of the light; however,  
25 there's never been a crossing guard.

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99

1 In my capacity as my various roles in the  
2 Federation, I have absolutely no recall of any  
3 monetary requests for a crossing guard for  
4 security concerns, nor have I ever been  
5 approached to help fund one personally nor been  
6 invited to a fund-raiser for this purpose. So  
7 if safety is your major concern, you have Matt  
8 Harris volunteering to pay out of his pocket  
9 for security for the residents crossing the  
10 street. Matt is a man of integrity and honor.  
11 He's what we all hope our sons will be as  
12 adults.  
13 As a Mandarin resident, I'm excited to  
14 have this new family-friendly, sports-themed  
15 restaurant in our area. Great for adults and  
16 families. I wish it existed when we were  
17 raising our sons. My kids did not have iPads  
18 and iPhones to play with during dinner. My  
19 three-year-old grandson can even work videos  
20 and an iPad and my cell phone better than I  
21 can.  
22 How great would it be to take your family  
23 to watch sports. Kids and adults can play  
24 games, get off your phone and eat some  
25 great-tasting food. And as an adult, I can

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100

1 choose to order a drink if I wish. In my case,  
2 vodka.  
3 I can't take -- I can't wait to take my  
4 grandsons to Time Out and show them that  
5 Grandma is pretty cool. I grew up with three  
6 brothers and at times was more of a sports fan  
7 than my brothers, sons, or husband.  
8 I spent my adult life here and have always  
9 done what I could for this community. We live  
10 in a free, capitalist country. And here we  
11 have a member of the area who wants to build a  
12 fun place to go to that will give people jobs  
13 and be supportive of Haley Road resident  
14 concerns.  
15 So please, I ask you to consider my  
16 opinion and that -- I ask you to consider my  
17 opinion as a resident of the area. Please, I  
18 do not want to see another national chain in  
19 this place.  
20 Thank you.  
21 THE CHAIRMAN: Thank you, ma'am.  
22 All right. Could we please from Dr. Alan  
23 Harris.  
24 (Audience member approaches the podium.)  
25 AUDIENCE MEMBER: I'm Dr. Alan Harris. My

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101

1 address is 9446 Silhouette Lane, Jacksonville  
2 32257.

3 THE CHAIRMAN: Thank you, sir.  
4 Ms. Tropia will swear you in.

5 THE REPORTER: If you would raise your  
6 right hand for me, please.

7 DR. HARRIS: (Complies.)

8 THE REPORTER: Do you affirm that the  
9 testimony you are about to give will be the  
10 truth, the whole truth, and nothing but the  
11 truth?

12 DR. HARRIS: I do.

13 THE REPORTER: Thank you.

14 DR. HARRIS: Thank you, commissioners, for  
15 having me, allowing me to speak.

16 I'm a forensic and counseling psychologist  
17 in Jacksonville. I've spoken as an expert  
18 witness numerous times in state and federal  
19 court. Today I get to speak for something much  
20 more personal and important to me. I speak on  
21 behalf of my son Matt.

22 Since childhood, he's always demonstrated  
23 an unusual character; strength, dignity,  
24 honesty, thoughtfulness, consideration. Even  
25 his teachers in school commented on what an

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102

1 unusual man he is, when usually -- at that  
2 time, young boy.

3 On his own, he sought out the rabbis in  
4 the area way before anyone objected or knew  
5 about the plans to -- as a sign of  
6 consideration and thoughtfulness, to explain to  
7 them what we're planning and talk to them.

8 Rabbi Fisch of Etz Chaim expressed concern  
9 about people crossing the street, which is  
10 understandable in light of the fact several  
11 years ago someone crossing the street to attend  
12 services was struck and killed. So it's been a  
13 major concern for him for years.

14 Matt came to me and said, What do you  
15 think about us hiring a crossing guard to help  
16 people cross the street? I thought it was a  
17 great idea. He came up with that idea.

18 Years ago, I was director of psychological  
19 services at a drug and alcohol abuse center  
20 here, so I'm very familiar with the problem of  
21 substance abuse, and yet I strongly believe it  
22 is a right of people to go out with their  
23 family and, while the kids play, that the  
24 adults should have a right to have a mixed  
25 drink.

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103

1 One final comment or thought. There's  
2 been some mention by some people about  
3 anti-Semitism and even mention of the  
4 Holocaust. I find it outrageous and bizarre  
5 that anyone would think that a restaurant owned  
6 by a Jew would tolerate anti-Semitism.

7 You heard today Margie and Jeanine  
8 Rogozinski speak. What they didn't tell you  
9 was their mother-in-law is a survivor of  
10 Auschwitz. So they know what anti-Semitism is,  
11 and it's not Time Out Mandarin.

12 Thank you.

13 THE CHAIRMAN: Thank you, Dr. Harris.  
14 Thank you, sir.

15 All right. Could we please hear from  
16 George Mecke.

17 AUDIENCE MEMBERS: (No response.)

18 THE CHAIRMAN: We'll table that card.

19 Could we please hear from Sherry Herring.

20 AUDIENCE MEMBER: I'm not speaking.

21 THE CHAIRMAN: Is Sherry Herring -- is she  
22 present?

23 Could we please hear from Howard Wolpoff.

24 There's no particular order to whether  
25 you're -- this is not the opposed and the --

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104

1 not intentionally an opposed and unopposed  
2 group. We're just taking them in the order I  
3 have here.

4 Mr. Wolpoff.

5 (Audience member approaches the podium.)

6 AUDIENCE MEMBER: Yes. This is  
7 correspondence from the rabbi --

8 THE CHAIRMAN: Sir, if you would just hand  
9 it to us, and we will swear you in before we  
10 hear from you.

11 AUDIENCE MEMBER: (Tenders document.)

12 THE CHAIRMAN: Thank you. And we will  
13 make sure this gets into the public record with  
14 Ms. Sales.

15 Your name and address, please.

16 AUDIENCE MEMBER: Howard Wolpoff, 9951  
17 Haley Road, Jacksonville, Florida 32257.

18 THE CHAIRMAN: And Ms. Tropia will swear  
19 you in.

20 THE REPORTER: If you would raise your  
21 right hand for me, please.

22 MR. WOLPOFF: (Complies.)

23 THE REPORTER: Do you affirm that the  
24 testimony you are about to give will be the  
25 truth, the whole truth, and nothing but the

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105

1 truth?

MR. WOLPOFF: I do.

THE REPORTER: Thank you.

MR. WOLPOFF: Good afternoon.

When we met you two weeks ago, you heard the concerns of our quiet neighborhood over having a sports bar with a driveway that accesses Haley Road. You had asked the applicant to go back and negotiate with the community and see if there could be some level of compromise.

We went to the meeting with the hope of this business succeeding and the expectation of good-faith consideration. Having spoken to Mr. Harris and his many attorneys, I could report back that all we were delivered was multiple new designs to address the needs of the bar and its aesthetic presentation.

In an attempt to pave the way for this variance request, there was a detailed effort to reach out to the leaders of the local congregations and organizations to issue endorsement statements. There was no effort to interact with the community to address questions or issues before we saw the posted

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106

1 orange signs for the last meeting.

The application included misleading statements, including that the restaurant will close at 9 p.m. on the weekdays, which is repeated by your staff report. That was not the case, as Mr. Harris related to me, Oh, I really meant the deck. This, too -- he already changed it to 10 p.m.

He also infers support from the local rabbi, who has since sent you and the community a correspondence clarifying his statement, which I included there.

Taking the strong suggestion of Commissioner Moldovan, we made it clear that we wanted to ensure the community's security by having a wall built from the back property line all the way to the front of the building along Haley Road, blocking off the driveway onto the streets.

I even shared with Mr. Harris the marketing and community activity opportunities this could bring. I repeated at the end of the first meeting directly to his attorney, this is our Number 1, Number 2, and Number 3 requests.

During that initial meeting, Mr. Harris

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107

1 made it clear he only wanted to speak with one  
2 party from the neighborhood, and we confirmed  
3 that myself and my counterpart were  
4 representing the community of neighborhood  
5 residents. And there was no one else he needed  
6 to speak with. At that point, we assumed that  
7 was sufficient.

They waited until yesterday for the follow-up meeting, where they presented a new plan which moved the deck further back on San Jose but included an active driveway and no wall. Instead, it included bushes and trees to improve the landscape of the property and a fence that would go in between those trees and the bushes, only covering the side of the deck visible to neighbors across the street. This is not --

THE CHAIRMAN: Sir, if you could slow down.

MR. WOLPOFF: I'm trying. I really am.

THE CHAIRMAN: I understand.

MR. WOLPOFF: This did not address sound or safety. In fact, I pointed out that this provided a place for people to hide out waiting for unsuspecting pedestrians. I did not

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108

1 request them to be replaced unless it was the  
2 actual wall that we were replacing in the first  
3 place.

We asked if any effort was made to ascertain if the driveway could be blocked off. And he said no and that the landlord didn't want it anyway. Having done the research myself, I informed him that the DOT would allow it to be blocked and the wall built. He then shared that he had been in contact with an older couple from the community as well and they suggested that he put a sign that says no right turn out of the driveway --

THE CHAIRMAN: Sir, we're -- If you could wrap up for me. You're past three minutes.

MR. WOLPOFF: That we put a sign that says turn -- no right turn, that that would be sufficient.

Of course, I've met with the City, and they said that there's no way that would be allowed.

THE CHAIRMAN: All right. Thank you, Mr. Wolpoff. We have to respect everyone's time. No one has received longer than three minutes unless they are the owner or the

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109

1 applicant thus far.  
2 Could we please hear from Richard  
3 Bronowitz.  
4 AUDIENCE MEMBER: I'm not speaking today.  
5 THE CHAIRMAN: Very well.  
6 Could we please hear from Sarah Herman.  
7 (Audience member approaches the podium.)  
8 THE CHAIRMAN: Your name and address for  
9 the record, please.  
10 AUDIENCE MEMBER: Sarah Herman, 10146  
11 Haley Road, Jacksonville, Florida 32257.  
12 THE CHAIRMAN: Ms. Tropia will swear you  
13 in.  
14 THE REPORTER: If you would raise your  
15 right hand for me, please.  
16 MS. HERMAN: (Complies.)  
17 THE REPORTER: Do you affirm that the  
18 testimony you are about to give will be the  
19 truth, the whole truth, and nothing but the  
20 truth?  
21 MS. HERMAN: I do.  
22 THE REPORTER: Thank you.  
23 MS. HERMAN: Good afternoon,  
24 commissioners.  
25 I realize that this issue has repeatedly  
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110

1 become focused on the aspect of mine and many  
2 of my community member's religious  
3 observance --  
4 THE CHAIRMAN: Ma'am. Ma'am, I --  
5 So, everyone, I know that you'd like to  
6 hear -- you'd like to have everything heard.  
7 I've not started your time. We'll start  
8 you over.  
9 MS. HERMAN: Oh, I was speaking too fast.  
10 THE CHAIRMAN: I know that -- ma'am, one  
11 second -- everyone would like to get every  
12 thought in there for the record, but we have a  
13 City of Jacksonville law for three minutes and  
14 we have a court reporter that must report it  
15 into the public record. So, please, you know,  
16 deal with that accordingly.  
17 I understand you're trying to get it all  
18 in there, but she can't record it, then we  
19 stop.  
20 So, Ms. Herman, if you would start over.  
21 MS. HERMAN: Yeah. I realize that this  
22 issue has repeatedly become focused on the  
23 aspects of mine and many of my community  
24 member's religious observance. However, for  
25 me, this has always been about keeping our  
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111

1 neighborhood safe.  
2 My kids and many of their neighborhood  
3 friends are enrolled at one of the schools  
4 across San Jose, within the zoning variance  
5 request. We walk to and from school. In the  
6 afternoons and evenings, we would be walking  
7 right past the bar's driveway on Haley Road.  
8 And yes, on Chabad and holidays we would be  
9 walking past this driveway in the evenings as  
10 well. I know that my kids' friends would no  
11 longer be allowed to walk to our house or their  
12 friends' homes down Starshire Lane [sic] if  
13 there's a bar there.  
14 The community is concerned about people  
15 leaving the bar after drinking. The driveway  
16 on Haley Road is on the main thoroughfare  
17 through our neighborhood. It is only -- it is  
18 also the only crossing point of the  
19 neighborhood to the south.  
20 An exit of a bar into a residential  
21 neighborhood and right next to an elementary  
22 school seems preposterous to me. The current  
23 zoning laws seem like they are in place so that  
24 schools aren't near a bar.  
25 The current location has Tequila Tuesdays  
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112

1 and Whiskey Wednesdays all day until the end of  
2 happy hour, at 7 p.m. So while it has the word  
3 "restaurant" in its name and certain food sales  
4 requirements, it is a bar.  
5 It's hard to imagine our kids scooting  
6 around or playing basketball in the cul-de-sac  
7 on Starshire if the street is filled with  
8 strangers looking for parking on a big game day  
9 or a busy Saturday. And whom among us really  
10 feels that a bar in the backyard of your church  
11 or synagogue or, much less, a child's school is  
12 appropriate?  
13 I just ask that when you're considering  
14 this zoning variance, you take into mind the  
15 residents that live off Haley Road. And this  
16 isn't only a business on San Jose. It is also  
17 on Haley Road, which is a residential area and  
18 it has three religious institutions and -- or  
19 four religious institutions and three schools  
20 within the variance in question.  
21 And I just -- I beg of you to keep that in  
22 mind when you are considering this.  
23 Thank you so much for your time.  
24 THE CHAIRMAN: Thank you, ma'am. Thanks  
25 for being here.  
2021-374  
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ON FILE

113

1 Could we please hear from Barbara Feldman.  
2 (Audience member approaches the podium.)  
3 THE CHAIRMAN: Yes, ma'am. Your name and  
4 address, please.  
5 AUDIENCE MEMBER: Barbara Feldman, 10279  
6 Bear Valley Road, 32257.  
7 THE CHAIRMAN: And Ms. Tropia will swear  
8 you in.  
9 MS. FELDMAN: I'm sorry?  
10 THE CHAIRMAN: Ms. Tropia will swear you  
11 in.  
12 THE REPORTER: If you would raise your  
13 right hand for me, please.  
14 MS. FELDMAN: (Complies.)  
15 THE REPORTER: Do you affirm that the  
16 testimony you are about to give will be the  
17 truth, the whole truth, and nothing but the  
18 truth?  
19 MS. FELDMAN: I do.  
20 THE REPORTER: Thank you.  
21 THE CHAIRMAN: Go ahead, please, ma'am.  
22 MS. FELDMAN: Thank you for your time --  
23 THE CHAIRMAN: Ma'am, could I interrupt  
24 you for one second?  
25 For the sake of the court reporter, if you  
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114

1 would like to speak, could you step out, please?  
2 MS. FELDMAN: Thank you for your time.  
3 I'm a member of the community. I don't  
4 live right there at Haley Road, but I'm over on  
5 that part of town during Jewish holidays,  
6 during the Sabbath, and I'll make this short  
7 and sweet. I wish Mr. Harris well and I wish  
8 him a lot of success, but not in that location.  
9 There's too many people walking around  
10 there with kids and having people visit with  
11 them, especially during the holidays and during  
12 the Sabbath. And having people pull out even  
13 onto San Jose and not on Haley is still a  
14 danger.  
15 I was there when the woman that was killed  
16 and her daughter were laying in the street.  
17 And I can tell you, it was the most horrifying  
18 thing I've seen, and the guy is still walking  
19 free.  
20 It's not a good location. It's too close  
21 to residential areas. I know there's other  
22 places in the neighborhood, but they're not  
23 right in a residential area. That is not the  
24 appropriate place.  
25 That's it.  
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115

1 THE CHAIRMAN: Thank you, ma'am. Thanks  
2 for being here.  
3 All right. The time is 2:57.  
4 Ms. Tropia, would you like to hear one  
5 more?  
6 THE REPORTER: Sure.  
7 THE CHAIRMAN: Okay. Could we please hear  
8 from Jeanne Sandberg.  
9 (Audience member approaches the podium.)  
10 AUDIENCE MEMBER: My name is Jeanne  
11 Sandberg. I live at 2886 Starshire Cove,  
12 Jacksonville, 32257.  
13 THE CHAIRMAN: And Ms. Tropia will swear  
14 you in.  
15 THE REPORTER: If you would raise your  
16 right hand for me, please.  
17 MS. SANDBERG: (Complies.)  
18 THE REPORTER: Do you affirm that the  
19 testimony you are about to give will be the  
20 truth, the whole truth, and nothing but the  
21 truth?  
22 MS. SANDBERG: I do.  
23 THE REPORTER: Thank you.  
24 MS. SANDBERG: I just want to say that I  
25 think that a sports bar is incompatible with  
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116

1 our neighborhood. We are a family  
2 neighborhood, a very quiet neighborhood with  
3 many children, many people who -- many people  
4 who do walk -- maybe not as many as in some  
5 neighborhoods, but every time I'm out there,  
6 there are lots of people walking in that  
7 neighborhood on Haley Road. And the traffic  
8 would be increased and the noise level would be  
9 increased, and I'm quite concerned about those  
10 things.  
11 Thank you.  
12 THE CHAIRMAN: Thank you, ma'am.  
13 All right. Could we please hear from  
14 Mirjam Parkinson.  
15 AUDIENCE MEMBERS: (No response.)  
16 THE CHAIRMAN: All right. Table that one.  
17 Could we please hear from Gloria Einstein.  
18 (Audience member approaches the podium.)  
19 AUDIENCE MEMBER: Gloria Einstein, 2937  
20 Braemar Drive, Jacksonville.  
21 THE CHAIRMAN: And Ms. Tropia will swear  
22 you in.  
23 THE REPORTER: If you would raise your  
24 right hand for me, please.  
25 MS. EINSTEIN: (Complies.)  
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117

1 THE REPORTER: Do you affirm that the  
2 testimony you are about to give will be the  
3 truth, the whole truth, and nothing but the  
4 truth?

5 MS. EINSTEIN: Yes, I do.

6 THE REPORTER: Thank you.

7 MS. EINSTEIN: I live -- I've lived in the  
8 Starshire subdivision since 1990. It's three  
9 streets. They don't go anywhere. So you're  
10 not on those streets unless you're going to one  
11 of our houses.

12 It's the kind of neighborhood where I had  
13 a high-tech water heater delivered and it's on  
14 a pallet in front of my driveway -- or in my  
15 driveway for days until it could be installed.  
16 It's a quiet and safe neighborhood. We have  
17 different ethnicities. We have many people who  
18 are elderly and disabled, and the quiet and  
19 safety are important to us.

20 But if you have seen the plans, the Haley  
21 entrance to the parking lot goes straight into  
22 our neighborhood. People will leave the bar  
23 looking for a place to park -- will leave that  
24 parking lot looking for a place to park or  
25 trying to cut through to Scott Mill or to

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118

1 San Jose or just because they are confused.

2 I've heard the applicant and Dr. Harris  
3 repeatedly deny that anyone was going to be  
4 drunk at their establishment. And they may  
5 sincerely believe that, but no one who is not  
6 invested in this project can think that's a  
7 realistic prediction.

8 They say it's going to be wholesome and  
9 family-oriented. Maybe it can be that way  
10 through happy hour. Maybe it could be that way  
11 through the dinner hour. But after that, it's  
12 open for several more hours. The families are  
13 long gone. So who's left and what are they  
14 doing?

15 I visited the Beach Boulevard Time Out.  
16 It looks like a bar. It smells like a bar.  
17 And there were so many people outside that we  
18 actually thought it was a socially distanced  
19 line to get in. That's in a strip mall, so  
20 there's plenty of places for them to park.  
21 There's plenty of sidewalk for them to  
22 congregate. Where are they going to do that at  
23 this site in our neighborhood?

24 I lived six houses from the Village Inn  
25 for 25 years. They never bothered us. Once in

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119

1 a while it was -- you know, a few days a year  
2 there were lines for people picking up pies.  
3 They got their pies and they went home.

4 Businesses that have been mentioned to go  
5 into that space, they may be lower-status  
6 businesses like fast food or they may be even a  
7 cannabis dispensary. People get what they came  
8 for and they go home. That's not the case with  
9 a place where people plan to spend several  
10 hours and where hard liquor is an indispensable  
11 part of the business plan.

12 THE CHAIRMAN: Thank you, Ms. Einstein.  
13 We're at three minutes. Thank you, ma'am.

14 MS. EINSTEIN: Thank you.

15 THE CHAIRMAN: Sorry to cut you off.

16 With that, we will be taking a ten-minute  
17 break and we'll reconvene at 3:10.

18 Thank you.

19 (Brief recess.)

20 THE CHAIRMAN: All right. We'll  
21 reconvene.

22 Next, could we hear from Chai Gross,  
23 followed by Karen Droege.

24 (Audience member approaches the podium.)

25 AUDIENCE MEMBER: HI.

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120

1 THE CHAIRMAN: Your name and address for  
2 the record, please, ma'am.

3 AUDIENCE MEMBER: Chai Gross, 2922 Bernice  
4 Court, Jacksonville, Florida 32257.

5 THE CHAIRMAN: And Ms. Tropia will swear  
6 you in.

7 THE REPORTER: If you would raise your  
8 right hand for me, please.

9 MS. GROSS: (Complies.)

10 THE REPORTER: Do you affirm that the  
11 testimony you are about to give will be the  
12 truth, the whole truth, and nothing but the  
13 truth?

14 MS. GROSS: Yes.

15 THE REPORTER: Thank you.

16 MS. GROSS: Okay. So there are reasons  
17 for zoning laws, and if they're not going to be  
18 applied in this case, I don't know when these  
19 laws would be applied.

20 So the back of the bar/restaurant is in a  
21 residential area. I know when they did -- when  
22 they looked at it, they said, Oh, it's on  
23 San Jose; there are other restaurants that are  
24 similar. But they're not similar. The other  
25 ones have -- don't have houses right behind it

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121

1 and don't have -- are not back-to-back to a  
2 school/synagogue. None of the other ones that  
3 have been mentioned have any of that, so it's  
4 not the same. And the reason for the zoning  
5 laws seem to apply here and should not be  
6 lifted. Otherwise, what's the point of having  
7 them? That's my main issue here.

8 Also, the driveway was not addressed. He  
9 addressed other issues that were not our main  
10 concern. Our main concern was the open  
11 driveway into our neighborhood where people  
12 will drive after they drink. And that is --  
13 has not been addressed, so it's the same  
14 problem.

15 The driveway leads right into a block that  
16 is a cul-de-sac. My kids play every Saturday  
17 afternoon, basketball, at the end of that  
18 cul-de-sac with like ten, if not more, other  
19 kids. And I hang out there with my friends.  
20 And all the kids hang out and play basketball.

21 When the cars leave, if they drive down  
22 that block to try to get out because they may  
23 not realize, they have to do a U-turn right  
24 where all the kids play. It's right there. So  
25 I'm not sure what's going to happen once -- If

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122

1 this opens, it's going to be very dangerous to  
2 all the kids that play on that exact block.

3 The only outlet to the neighborhood is  
4 San Jose and Bernice Court, which is right in  
5 front of my house. My house is the outlet;  
6 it's where I live, and it's a blind turn. It  
7 was so dangerous that we had them -- the City  
8 put a sidewalk. My kids couldn't even walk in  
9 front of my house around the turn without me  
10 because it was so blind until they put the  
11 sidewalk in.

12 So that's the only outlet. So when people  
13 drink and then they drive, they have to come --  
14 either make that U-turn because they don't  
15 realize it's not an outlet, and then come back  
16 around and come by my house, which is a blind  
17 turn, to get out.

18 The main concern is that they're going to  
19 be drinking and it can be very dangerous for  
20 the neighborhood. I want you to consider,  
21 please, to not change the zoning laws. They  
22 are here for this exact reason.

23 And it's nice to have a bar for people to  
24 go to. I go with my husband out. We go all  
25 the time places -- Wicked Barley. You know, we

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123

1 like to hang out, but we don't, you know, drive  
2 around where people are hanging out with their  
3 families.

4 Thank you.

5 THE CHAIRMAN: Thank you, Ms. Gross.

6 Thank you for being here.

7 Could we please hear from Karen Droege.

8 AUDIENCE MEMBERS: (No response.)

9 THE CHAIRMAN: Karen Droege.

10 AUDIENCE MEMBERS: (No response.)

11 THE CHAIRMAN: Okay. Could we please hear  
12 from Lon Smolensky.

13 AUDIENCE MEMBER: He's not here.

14 THE CHAIRMAN: He's not here.

15 Andrew Hoffa [sic].

16 AUDIENCE MEMBER: Jaffa (pronouncing).

17 THE CHAIRMAN: Jaffa. Took a risk.

18 (Audience member approaches the podium.)

19 THE CHAIRMAN: Yes, sir. Name and  
20 address, please, for the record.

21 AUDIENCE MEMBER: Andrew Jaffa, 2801  
22 Sylvan Lane North.

23 THE CHAIRMAN: All right. And Ms. Tropia  
24 will swear you in.

25 THE REPORTER: If you would raise your

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124

1 right hand for me, please.

2 MR. JAFFA: (Complies.)

3 THE REPORTER: Do you affirm that the  
4 testimony you are about to give will be the  
5 truth, the whole truth, and nothing but the  
6 truth?

7 MR. JAFFA: I do.

8 THE REPORTER: Thank you.

9 MR. JAFFA: I wanted to ask a couple of  
10 questions, hopefully to the board and  
11 Mr. Harris.

12 I was in the exact same situation  
13 Mr. Harris was just a couple of weeks ago  
14 because I was doing -- asking for a variance in  
15 the town of Orange Park. My lawyer instructed  
16 me to do a traffic study. I did it  
17 begrudgingly. It cost me a lot of money, but  
18 it was necessary. It was necessary to have a  
19 traffic study done on this location. If one  
20 has not been done, I would like to know why.  
21 There are very unique circumstances here with  
22 pedestrians, so the traffic study will look at  
23 the pedestrians, the traffic flow, how they  
24 intermingle. This is a very highly walked  
25 area.

2021-374  
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125

1 So those conflicts need to be understood,  
2 and that's the reason that -- as Mr. Wolpoff  
3 was talking about and Ms. Gross was talking  
4 about, they -- there was a request for a wall  
5 to block off the traffic that's going from  
6 Haley onto -- into the bar.

7 My next question is also to Mr. Harris and  
8 to the board: What will happen with overflow  
9 parking? What is the plan for overflow  
10 parking? This must be addressed. It is a  
11 nightmare at Wicked Barley, an absolute  
12 nightmare of people crossing across the street  
13 because Wicked Barley does not have enough  
14 parking.

15 A sports bar is not the same as a  
16 restaurant. When people go to a sports bar,  
17 they get -- when I go with my friends, we all  
18 get in our own cars. Five of us get in five  
19 cars and go to the sports bar, and then -- it's  
20 not like a restaurant where five people get in  
21 one car and go to a restaurant. This is a  
22 different animal.

23 What will happen when that parking lot is  
24 full and there's nowhere else to park? Where  
25 are they going to park? What is the plan?

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126

1 What are the contingency plans? What are the  
2 signage plans? We don't know. There must be a  
3 plan for overflow parking.

4 And then the last point I wanted to  
5 make -- and I know many of the people that  
6 spoke in support of the bar, and I think it is  
7 interesting to note that none of those people  
8 live in the immediate vicinity behind that bar.

9 The people who are against this live in  
10 the immediate vicinity. Additionally, none of  
11 the people who spoke in support of the bar walk  
12 to synagogue on a regular basis, on Saturdays  
13 or on high holidays. I'm not -- I don't  
14 either, so I'm not casting stones. I'm saying  
15 that their interests are different than the  
16 people who live directly behind the bar. They  
17 are walking. They are worried about their  
18 safety. This is not a financial situation.  
19 They are worried about their safety.

20 Thank you very much.

21 THE CHAIRMAN: Could we please hear from  
22 Zipara Zaguri.

23 (Audience member approaches the podium.)

24 THE CHAIRMAN: Yes, ma'am. Hi. Your name  
25 and address, please.

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127

1 AUDIENCE MEMBER: Zipara Zaguri, 2969  
2 Mandarin Hollow Drive, Jacksonville, Florida  
3 32257.

4 THE CHAIRMAN: And Ms. Tropa will swear  
5 you in.

6 THE REPORTER: If you would raise your  
7 right hand for me, please.

8 MS. ZAGURI: (Complies.)

9 THE REPORTER: Do you affirm that the  
10 testimony you are about to give will be the  
11 truth, the whole truth, and nothing but the  
12 truth?

13 MS. ZAGURI: Yes.

14 THE REPORTER: Thank you.

15 MS. ZAGURI: First of all, just excuse me  
16 for my English. Sometime when I'm getting  
17 excited my English is not the best, so please  
18 accept my apology.

19 I just want to bring up my concerns  
20 from -- I want to be selfish just for me and my  
21 family. I have five kids. We live seven  
22 houses down from Village Inn. My girls walking  
23 at least three, four times a week to Target, to  
24 going back and forth to school and going to the  
25 gas station to get a slushy. And if this

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128

1 restaurant is going to be there, my kids'  
2 freedom is going to be taken from them.

3 I'm not going to let them walk anymore by  
4 themselves in this area. I'm not talking about  
5 my husband to go to the synagogue Friday night.  
6 He's an old man. Situation like that can be  
7 solved. Okay. Even though it's very  
8 upsetting, but is okay. But for my kids, to  
9 take their freedom, it's really, really  
10 unacceptable. It's not like it -- it's all the  
11 neighborhood kids. They are walking around  
12 with the scooters and with the bicycle and all  
13 this area.

14 So I need to tell my daughter, Okay,  
15 you're going to Target now. Okay, be safe.  
16 And I need to be worried the whole 20, 15  
17 minutes until she's going to walk there, what's  
18 going to happen. If somebody drunk from the  
19 bar, if somebody was making a U-turn. I don't  
20 know what's -- exactly is going to happen, but  
21 I'm going to be uncomfortable.

22 We already had a death in this street  
23 seven years ago. It's still bleeding in our  
24 community. We don't want to lose none of the  
25 member of the community at all.

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129

1 I really hope you guys going to take it in  
2 the consideration. And it's really from the  
3 bottom of my heart. My kids' freedom, my kids'  
4 life, me, myself -- it's very important. I  
5 walk all the time in that street.

6 And I'm sure that Matt Harris is great  
7 person. I used to own a restaurant. Matt and  
8 his dad visit my restaurant at least three,  
9 four times a week. Great people. Amazing  
10 people. Everybody talk about him, even more  
11 better than people talked about him. But it's  
12 not related to the fact of the restaurant. I  
13 just don't want my freedom, my life, and my  
14 community to be in a bad position.

15 Thank you.

16 THE CHAIRMAN: Thank you, Ms. Zaguri.  
17 Thank you.

18 Okay. Is there anyone else here today to  
19 speak on either of those two matters, E-21-16  
20 or WLD-21-04?

21 AUDIENCE MEMBER: (Indicating.)

22 THE CHAIRMAN: Yes, ma'am.

23 Are you Ms. Droege?

24 AUDIENCE MEMBER: No.

25 THE CHAIRMAN: I have a five speakers

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130

1 cards of people who were not present or who did  
2 not wish to speak.

3 Did you fill out a blue speaker's card?

4 AUDIENCE MEMBER: I did not.

5 THE CHAIRMAN: Is there anyone else here  
6 today that wishes to speak on these matters?

7 AUDIENCE MEMBER: Yes.

8 THE CHAIRMAN: Sir, did you fill out a  
9 blue speaker's card.

10 AUDIENCE MEMBER: No, but I will.

11 THE CHAIRMAN: I do have five loose  
12 speakers cards. I've called all these names  
13 numerous times. They do not wish to speak.

14 (Audience member approaches the podium.)

15 THE CHAIRMAN: Yes, ma'am. Your name and  
16 address, please.

17 AUDIENCE MEMBER: My name is Beth Beyer,  
18 2950 Starshire Cove.

19 THE CHAIRMAN: And Ms. Tropia will swear  
20 you in.

21 THE REPORTER: If you would raise your  
22 right hand for me, please.

23 MS. BEYER: (Complies.)

24 THE REPORTER: Do you affirm that the  
25 testimony you are about to give will be the

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131

1 truth, the whole truth, and nothing but the  
2 truth?

3 MS. BEYER: I do.

4 THE REPORTER: Thank you.

5 MS. BEYER: I have an email from the rabbi  
6 at the Chabad, which is right next door to the  
7 said property. It says: "I have actually  
8 given the matter some thought and I am of the  
9 opinion that Chabad is not being given adequate  
10 consideration in this process. Somehow I was  
11 told by several people that there would be even  
12 more measures to protect Chabad from the  
13 matters that require the distancing of this  
14 type of facility.

15 "I was very surprised when Mr. Harris  
16 offered to plant a tree at Chabad as a way of  
17 dealing with this issue. So while I'm not  
18 ready to oppose the entire project, I am  
19 certainly unhappy with the way Chabad is being  
20 treated and I am, therefore, expressing my  
21 opposition to this project as it is designed at  
22 this point."

23 THE CHAIRMAN: Thank you, ma'am. Thanks  
24 for being here.

25 All right. Sir, if you -- and, ma'am, if

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132

1 you will fill out blue speaker's card for us  
2 before you leave.

3 Sir, if you're ready, we'll hear from you.  
4 And after you speak, if you will fill out a  
5 blue speaker's card.

6 AUDIENCE MEMBER: Sure.

7 THE CHAIRMAN: Your name and address?

8 AUDIENCE MEMBER: Mike Herring, 2966  
9 Mandarin Hollow Drive, Jacksonville 32257.

10 THE CHAIRMAN: And Ms. Tropia will swear  
11 you in.

12 THE REPORTER: If you would raise your  
13 right hand for me, please.

14 MR. HERRING: (Complies.)

15 THE REPORTER: Do you affirm that the  
16 testimony you are about to give will be the  
17 truth, the whole truth, and nothing but the  
18 truth?

19 MR. HERRING: Yes, I do.

20 THE REPORTER: Thank you.

21 MR. HERRING: Mike Herring. I spoke at  
22 the last meeting before the panel here. I  
23 wasn't planning on speaking today, but just  
24 changed my mind.

25 Basically, what this really comes down to

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133

1 is putting a sports bar into a neighborhood, so  
2 there's a concern for the safety of the  
3 neighborhood and changing the nature and  
4 character of the neighborhood.  
5 This could partially be resolved by -- and  
6 it has already. We have talked to Mr. Harris,  
7 and he's made some changes and concessions.  
8 And that's great, but the two things we still  
9 would like to see is Haley Road blocked off and  
10 a wall/barrier.  
11 And last time I presented four issues --  
12 four target items. That was interactions  
13 between the patrons of the facility with the  
14 neighborhood; traffic through the residential  
15 area; parking that could take place in the  
16 neighborhood; and excessive noise. So we think  
17 that blocking off Haley Road and adding this  
18 wall would help resolve this and contribute to  
19 safety in the neighborhood.  
20 The staff report talked about not changing  
21 the character because it mentions San Jose. It  
22 did not mention the residential neighborhood or  
23 specifically houses and residences on Haley  
24 Road.  
25 And it also mentioned that this use was  
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134

1 similar to Village Inn. I would like to point  
2 out, again, that this is different from Village  
3 Inn. People sitting there drinking, long  
4 hours, it changes things. It's a different  
5 type of -- type of use, a different type of  
6 person, late hours, and alcohol. Just could be  
7 a different use.  
8 Some observations as stated before, most  
9 of the people speaking against this today are  
10 neighbors who live right there and have the  
11 most to -- at stake with this -- with this  
12 proposal.  
13 And, lastly, I wanted to emphasize, as  
14 Mr. Jaffa said, a traffic study be performed.  
15 And also, if there's an opportunity to refer  
16 this to the neighborhood's Community Service  
17 and Public Health and Safety Committee so they  
18 could look at this further.  
19 THE CHAIRMAN: Thank you, sir.  
20 Is there anyone else here today to speak  
21 on matters WLD-21-04 or E-21-16?  
22 AUDIENCE MEMBERS: (No response.)  
23 THE CHAIRMAN: All right. Seeing none, I  
24 will close the public hearing and bring it back  
25 to the Commission.  
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135

1 COMMISSIONER HACKER: Mr. Chairman, I move  
2 to approve E-21-16.  
3 MR. DUGGAN: Mr. Chairman, could I have  
4 rebuttal?  
5 THE CHAIRMAN: Yes. I'm sorry.  
6 (Mr. Duggan approaches the podium.)  
7 THE CHAIRMAN: Mr. Duggan, go ahead,  
8 please. Very sorry.  
9 MR. DUGGAN: Thank you, Mr. Chairman.  
10 THE CHAIRMAN: Yes, sir.  
11 MR. DUGGAN: I just wanted to talk on a  
12 few points. This won't take long.  
13 I want to emphasize again for the record,  
14 this is not a bar. This is a restaurant with a  
15 SRX license. That's not -- that's a real  
16 regulation. They're going to have to comply  
17 with a real State of Florida audit. That's not  
18 some kind of sham that they're trying to use as  
19 a pretext to get around this. So that's the  
20 first thing to start on.  
21 Secondly, there was, you know, a comment  
22 made about, if zoning laws ever needed to be  
23 enforced, this is the time. I will point out  
24 to you that your expert zoning staff have  
25 written up not one but two analyses on this  
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136

1 proposed project and determined that it is  
2 consistent with your Comprehensive Plan,  
3 complies with all the Land Development  
4 Regulations, and is compatible with the  
5 neighborhood.  
6 There's been no expert data and analysis  
7 offered to you in either of these hearings to  
8 contradict the findings of your expert staff.  
9 At the last hearing, Mr. Hainline -- I  
10 read the transcript -- called it  
11 "remarkable" -- "one of the more remarkable  
12 hearings," and I certainly agree with that  
13 characterization. And I would add, today's  
14 been remarkable in my experience as a land use  
15 attorney.  
16 I'm hard-pressed to recall instances where  
17 people have come to speak in support of a  
18 project that they saw in the media and learned  
19 about -- that came down -- took the time to  
20 come down here to say, "I support this."  
21 Usually it's nothing but opponents. But I  
22 think that in of itself is remarkable.  
23 I want to close by touching on the Haley  
24 access issue. As you can see on the site plans  
25 that I gave you, there's several reasons in my  
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137

1 opinion why it cannot -- there's nothing about  
2 this that justifies closing it.

3 First of all, from a life/safety

4 standpoint, if you will look at the site plan I  
5 gave you, you will see that, if that you close  
6 Haley, there's no loop circulation on the site.

7 If a fire truck comes onto that property,  
8 they're going to have to back out onto San Jose  
9 if you close Haley. So for that reason alone,  
10 I would submit to you, when this goes to  
11 engineering and ten-set review or a Certificate  
12 of Use, that comment is going to come up from  
13 the fire marshal.

14 Secondly, in the Future Land Use Element,  
15 Policy 1.3.8 says: The development review  
16 criteria shall include provisions for  
17 convenient on-site traffic flow, considering  
18 the need for vehicular parking.

19 So you've heard many times that the staff  
20 and various projects talk about the need for  
21 interconnectivity. And this particular policy,  
22 I submit, relates to this issue in closing off  
23 Haley.

24 Secondly, this is a site that's CCG-1

25 already. We're not taking some site that is a

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138

1 lower-intensity use and trying to upzone it and  
2 intensify it. It's already CCG-1. The Village  
3 Inn operated at this corner for years,  
4 accessing Haley with apparently no problem that  
5 anybody in the neighborhood highlighted to --  
6 to you today. I think if there had been  
7 numerous accidents or problems with pedestrian  
8 interaction at that driveway in connection with  
9 the Village Inn operation, you would have heard  
10 about it, and you didn't.

11 A restaurant could go there today with  
12 beer and wine sales by right. We would not be  
13 here dealing with this issue with that Haley  
14 access. There's nothing about this proposed  
15 use that justifies closing it.

16 However, having said all that, I've spoken  
17 with the land -- with the owner, Mr. Bakkar, as  
18 we have sat here today. He's willing to agree  
19 to a condition that at that Haley access point,  
20 as you're leaving the property, he will put up  
21 signage that says No Outlet or Dead End, facing  
22 down Haley to the right so people will know  
23 there's no reason for me to turn down here;  
24 I'll get stuck and I'll have to turn around.  
25 We're willing to put that in place to address

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139

1 the comments made about driving -- someone  
2 getting lost and driving down there and that  
3 being a factor.

4 So again, it's a CCG corner on a -- at a  
5 signalized intersection on a major commercial  
6 corridor. There could be a lot of other more  
7 intense uses, I will call them. You've got --  
8 you've got an applicant who is from and wants  
9 to work with the community, and so I would say  
10 this is going to be better than anything else  
11 that's likely to go here.

12 And, with that, I'll close.

13 Thank you.

14 THE CHAIRMAN: Thank you, Mr. Duggan.

15 All right. Is there anyone else here  
16 today to speak on matters WLD-21-04 or E-21-16?

17 AUDIENCE MEMBERS: (No response.)

18 THE CHAIRMAN: Seeing none, I'll close the  
19 public hearing and bring it back to the  
20 Commission.

21 COMMISSIONER HACKER: Mr. Chairman, I move  
22 to approve E-21-16 for discussion purposes.

23 COMMISSIONER MOLDOVAN: Second.

24 THE CHAIRMAN: All right. I have a motion  
25 and a second for approval of E-21-16 for

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140

1 discussion purposes.

2 Discussion from the Commission?

3 Commissioner Hacker.

4 COMMISSIONER HACKER: Thank you, Mr. Chairman.

5 Mr. Duggan, I have a question on the site  
6 plan. There's a shaded hatch going from the  
7 corner of San Jose and Haley over to the  
8 handicapped side of the parking lot. Do you  
9 know what that is?

10 MR. DUGGAN: Show me.

11 COMMISSIONER HACKER: Right here (indicating).

12 MR. DUGGAN: Yes. Thank you,  
13 Commissioner.

14 That is the handicapped -- that  
15 crosshatching indicates the -- the required ADA  
16 path from the sidewalk off of Haley, across the  
17 parking lot to the front entrance of the  
18 facility.

19 COMMISSIONER HACKER: Okay. Thanks.

20 Mr. Duggan, my other question I had at  
21 this point was -- the letter from the rabbi at  
22 Chabad, that -- that was a little -- it took me  
23 back a little. I was curious about the  
24 discussion you guys have had with the rabbi.

25 I mean, part of this is the waiver of

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141

1 liquor distance, and this is the church that  
2 it's -- that we're waiving distance from. So I  
3 want to make sure that -- that I -- I don't  
4 know that he would approve the project or  
5 approve of it or give it his endorsement, but  
6 get a sense of what his -- what his feelings  
7 are in reference to this letter that was  
8 presented today.  
9 MR. DUGGAN: Thank you.  
10 We don't have a copy of that, but more --  
11 more relevantly, I haven't had any  
12 communication with him coming into this just  
13 this week, but I'm certain that Mr. Harris  
14 could probably speak more knowledgeably.  
15 So if you would like to have him address  
16 that?  
17 COMMISSIONER HACKER: Sure. Thanks.  
18 (Mr. Harris approaches the podium.)  
19 COMMISSIONER HACKER: Mr. Harris, help me  
20 feel good about this relationship with Chabad  
21 next door.  
22 MR. HARRIS: Yes, sir.  
23 So yesterday, actually one of his members  
24 approached me on site. We had arranged to meet  
25 there because they didn't really understand the  
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142

1 site plan or what was going on. So I walked  
2 them through and showed them where the fencing  
3 is going. It's a long fence. Showed them  
4 that -- just two picnic tables, three at the  
5 maximum, at the front.  
6 And he came up with the idea, would you be  
7 willing to put greenery in this one spot where  
8 you could see the Chabad? I said, absolutely.  
9 Went and looked at it, and I was like, you know  
10 what? That's actually on his property line.  
11 Let's give him a call.  
12 So I gave him a call and I actually got  
13 the totally opposite impression. He was like,  
14 Thank you so much for calling me. We already  
15 have trees. We just don't need it. And I was  
16 like, Okay, I know we have holidays where, you  
17 know, we can donate a tree. We're more than  
18 happy to work with him. He seems like he'd  
19 be -- he was very positive the entire time.  
20 When we approached him initially, his only --  
21 he only said, No, I don't have an issue with  
22 it.  
23 I would love to have a working  
24 relationship with him. We already have a  
25 6-foot wall right there. From what I -- he's  
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143

1 apparently a great guy. That letter, I mean,  
2 caught me off guard because, you know, I'm  
3 calling to ask you to give you a free tree that  
4 one of your members approached me about. So he  
5 was like, Wow, like -- he didn't say "wow," but  
6 he was like, Thank you so much for calling, but  
7 we already have enough trees.  
8 And if there was anything else he wanted,  
9 I would be more than happy to help work with  
10 him, just as we have with everybody -- with the  
11 synagogues, with the congregation. With all  
12 the concessions we've made; the fencing, the  
13 10-foot trees, I mean, we would be more than  
14 willing to work with him.  
15 COMMISSIONER HACKER: I'm certainly not  
16 questioning your willingness. I just want to  
17 know what -- what's transpired up to this  
18 point. So before that, were you able to have  
19 any discussions or --  
20 MR. HARRIS: Sure. So somebody on my team  
21 who knows him initiated the discussion. He  
22 actually went to his house. They talked in his  
23 home and he said, It's just a restaurant. Yes,  
24 it's called Time Out Sports Grill. I'm sure  
25 you've heard about it. Talked to the  
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144

1 community. He said, No, I have no issues.  
2 COMMISSIONER HACKER: Okay. And was -- is  
3 it the same case for the other churches that  
4 were -- or schools that were affected within  
5 this waiver of liquor distance?  
6 MR. HARRIS: So for Etz Chaim, across the  
7 street, the -- Rabbi Fisch, who wanted the  
8 security guard, we talked multiple times.  
9 Because when I spoke with him initially, before  
10 we even applied, you know, he brought up the  
11 concern about, you know, crossing the street.  
12 And I said, All right. Well, let me go back to  
13 the drawing board and come up with something.  
14 Like, we really took time to figure out  
15 what is the best solution. And then we offered  
16 the security guard. And he said, you know,  
17 that will do. That's great.  
18 As far as Rabbi Lubliner, I called him a  
19 few times. He's very close to my father. And  
20 to quote him -- Rabbi Lubliner looked at my  
21 father and he said -- you know, he did a good  
22 job. He stays neutral. He's a rabbi. He  
23 said, I'm really happy to see it staying in the  
24 family.  
25 I think he understands, if a big corporate  
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145

1 giant comes in here, they are not going to care  
2 about the Jewish people. As bad as that  
3 sounds, on the opposite, I'm willing to bend  
4 over backwards, to concede left and right just  
5 to make this work for the Jewish people, for  
6 myself, the community, and the establishment.

7 COMMISSIONER HACKER: Thanks.

8 So again, we have an exception and a  
9 waiver of liquor distance. So the places that  
10 are affected by the waiver of liquor distance,  
11 I want to make sure that, you know, we're all  
12 on the same page there. So the exception,  
13 there's no doubt that the people that spoke in  
14 opposition to this are the most affected by  
15 this for sure.

16 It's my opinion that, you know, San Jose  
17 Boulevard, being a busy corridor and the  
18 existing zoning that's on this commercial  
19 piece, although there is residential zoning  
20 right next to it, you know, those -- the zoning  
21 for this commercial piece and the residential  
22 zoning were both in place longer than any of us  
23 have, you know, been around probably. And  
24 so -- so that -- that's an existing condition  
25 that's there.

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146

1 I was really hoping that we would get a  
2 little further with those that have been  
3 affected by it, to maybe not sign off on the  
4 project, but to have a little bit more  
5 enthusiasm about it and feel a little more  
6 comfortable with it.

7 Mr. Harris, I think you have gone above  
8 and beyond trying to make this work. I  
9 think -- I think that you guys, as residents,  
10 would be hard-pressed to find someone who cares  
11 as much as he does about trying to make this  
12 work and trying to, you know, work with the  
13 community. We rarely see this. You know, we  
14 rarely see applicants come through and try to  
15 put -- you know, put as much into it as you  
16 have. So I commend you for that.

17 That's all the comments I have at this  
18 point.

19 THE CHAIRMAN: Thank you, Commissioner  
20 Hacker.

21 Further discussion from the Commission?  
22 Commissioner Blanchard.

23 COMMISSIONER BLANCHARD: Thank you, Chairman.

24 I mentioned in the last meeting and I'll  
25 say it again. I lived here for the last

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147

1 18 years or so. I lived on Sandy Branch Lane  
2 at the end of the road. Our neighbors have a  
3 little cut-through to go to Starshire. There  
4 were many, many days where part of the Jewish  
5 community would walk through our neighborhood  
6 and cut through to get back to the synagogues  
7 back there. So I raised my kids there. I  
8 still have friends there and know this  
9 community very, very well.

10 I made a few notes on a few thoughts I had  
11 along the way and trying to pull the emotion  
12 out of it and look at it from a technical  
13 standpoint. There's really two applications  
14 before us. One is the exception, which says:  
15 Can they add liquor, in addition to beer and  
16 wine? Because they already can serve beer and  
17 wine by right. I don't know if you guys  
18 understand that, but they can.

19 And then the second thing with the  
20 exception is: Can they have outdoor seating?  
21 And we're seeing a lot of that with COVID. And  
22 that typically gets approved. That's sort of  
23 how a lot of the restaurants are continuing to  
24 evolve.

25 The other application is the waiver of  
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148

1 liquor distance because of the proximity to the  
2 synagogue. There's a precedent where there  
3 already is some liquor establishments that are  
4 adjacent to the synagogue in that area. The  
5 one across the street, it was the -- and I  
6 mentioned it before -- the Red Elephant was  
7 there in the strip mall. It's immediately  
8 adjacent, in proximity. I'm sure there's woods  
9 or a fence or whatever.

10 But just from a legal standpoint, there's  
11 already adjacent alcohol and liquor providers  
12 that are immediately adjacent to the synagogues  
13 there. This is one of the busiest corridors in  
14 the entire city. It's four or -- six or eight  
15 lanes, plus turn lanes. I mean, it's a very,  
16 very busy road, so I just -- I have a hard time  
17 believing that this isn't an appropriate place  
18 for that.

19 Again, the waiver should be automatic  
20 because there's a precedent.

21 On the exception, should they have outside  
22 seating? Sure. And then, should they be able  
23 to add alcohol? And there's a precedent for  
24 that, too.

25 So I have a hard time even coming up with  
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149

1 any reason why it shouldn't be allowed other  
2 than emotions and thoughts and fears.

3 A couple of other quick thoughts,  
4 Mr. Chairman, if I may?

5 I wanted to ask Ms. Santana, our traffic  
6 expert, and she left. So my -- so I'm going to  
7 answer the question for her. So would it be  
8 appropriate to close the entrance on Haley  
9 Road? And the answer is no.

10 And the reason why -- and I saw this at  
11 the Chick-fil-A because that's how I get to my  
12 place. When people stop at the traffic light  
13 and turn down Haley, for example, and realize  
14 they can't get into the restaurant, they just  
15 keep going into the neighborhood and pull a  
16 U-turn. And so it forces all that traffic into  
17 the community, so that's a bad thing.

18 So what happens with Chick-fil-A is  
19 everybody would pull in. You can't turn left  
20 into Chick-fil-A on Oak Bluff, so everybody  
21 kept going down to the intersection at  
22 Oak Bluff and Scott Mill and pulling a U-turn  
23 right there. One after another, all day long,  
24 U-turns, U-turns, U-turns. And they actually  
25 had a police officer out there ticketing people

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150

1 as they're making the U-turns because there  
2 were so many.

3 So that's why Haley -- the Haley  
4 entrance -- one of the many reasons why the  
5 Haley entrance couldn't be closed.

6 The last comment that I've got is it  
7 seemed like there's a lot of concern about the  
8 foot traffic, you know, crossing the road,  
9 crossing San Jose. And that has been a problem  
10 for 20 years. I mean, it's been there. That  
11 problem has existed.

12 And after that terrible accident seven or  
13 eight years ago, the City and FDOT got involved  
14 and put in some additional measures to make  
15 crossing the road easier. And members of the  
16 Jewish community circumvent those -- those  
17 measures because on the Sabbath you're not  
18 supposed to use them.

19 And I think that's -- and again, I said we  
20 don't always understand that as Christians, but  
21 if the traffic is so important to the Jewish  
22 community, why haven't you done anything about  
23 it? Why isn't there a police officer directing  
24 traffic, you know, every time there's a holiday  
25 or it's on Sabbath?

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151

1 My kids' school is down the road on  
2 Baymeadows. Every school morning, there's a  
3 police officer there in the road helping kids  
4 get down that road, and the school pays for  
5 that. Why has that not happened? Why is there  
6 not talk of a footbridge overpass where --  
7 let's raise money for that? Or work with your  
8 councilman or your congressman. Why is there  
9 no measures that I've seen from the Jewish  
10 community there?

11 But yet when this business owner comes in,  
12 he's got a right to use his business, he's got  
13 to address these concerns, and I don't think  
14 that's reasonable. And I do think he's gone  
15 above and beyond, and I like the previous plan  
16 more, but the foot traffic is an existing  
17 condition.

18 Just imagine what would have happened if  
19 Chick-fil-A had gone there. There was a lot of  
20 talk five years ago about Chick-fil-A going  
21 there instead of Oak Bluff. There was a lot of  
22 talk about it. They get way more traffic than  
23 a restaurant ever would because people are  
24 coming in and coming out. All day long,  
25 traffic's backed up. That traffic situation,

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152

1 in my opinion, would have been much, much  
2 worse. People sit at a restaurant longer.

3 So just think about some of the  
4 alternatives that could be by right. You don't  
5 need any permission to serve beer or wine or  
6 have a Chick-fil-A. A little bit of food for  
7 thought.

8 Bottom line is I think there's been some  
9 great concessions that are made and I certainly  
10 appreciate that. I like the fact that you're a  
11 part of this community as well.

12 I would have to agree with the  
13 recommendation of staff and be on the side of  
14 an approval for both of these matters.

15 So no further comments, Chairman.

16 THE CHAIRMAN: Thank you, Commissioner  
17 Blanchard.

18 Further discussion from the Commission?  
19 Commissioner Moldovan.

20 COMMISSIONER MOLDOVAN: Thank you,  
21 Mr. Chairman.

22 The first time this matter came before us,  
23 I mentioned I had two reservations. It was  
24 intensity and location.

25 First, I want to applaud Mr. Harris for

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153

1 being so flexible and working with the  
2 community. It shows how much you do care. I,  
3 for one, don't really think this is a matter of  
4 religion. I think this is a matter of  
5 considering a business and its compatibility  
6 within a pedestrian-centric community. It  
7 looks like you're taking measures to help with  
8 that.

9 Commissioner Blanchard brings up a good  
10 point. You know, I never really considered, if  
11 you were to close off the Haley entrance, you  
12 know, where do people go who are going  
13 northbound on San Jose, trying to take a left  
14 into this business? They're going to head  
15 straight through your community, looking for a  
16 place to turn around, and that would just be an  
17 awful recipe.

18 I think, just looking at the site plan,  
19 you know, that may not be your only option. I  
20 would love to see something happen with that  
21 egress point. I don't know if it can come  
22 further towards San Jose to allow for that  
23 circulation and -- the loop-flow circulation.

24 However, you know, just as Commissioner  
25 Blanchard had said, I have to kind of step back

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154

1 and peel back the layers of this and really  
2 look at what we're considering. By right, this  
3 business could operate under 2-COP with beer  
4 and wine without the liquor, so I've got to  
5 consider that. So what we're really looking at  
6 here is the full liquor and the waiver of  
7 liquor distance. And that alone just makes  
8 this tough for me because I was so adamant on  
9 the last meeting with being against this, but  
10 looking at it, I mean, this is a restaurant.

11 This zoning existed probably before many  
12 of you moved into your houses. I believe it  
13 was -- Ms. Gross was talking about the back  
14 half of the property being residential. That's  
15 incorrect; it's not. It's CCG-1, and it's been  
16 CCG-1 since the '70s is what I'm looking at  
17 here.

18 So in my opinion -- and this isn't going  
19 to sound very friendly, but when you purchase a  
20 residential property across the street from  
21 this, looking at it and saying, Hey, this is  
22 the Village Inn or this is a vacant property,  
23 you have also got to consider what could come  
24 in the future.

25 I don't really know where I stand right

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155

1 now with it. I'd like to hear from other  
2 commissioners, but there's been a lot of new  
3 information. I appreciate everybody for  
4 letting us have two more weeks to stew on this  
5 because it really has given us all time to kind  
6 of dig into it, you know. And I -- personally,  
7 I needed that time.

8 But as I stand right now, I don't know. I  
9 don't know what my stance is entirely, so I'd  
10 like to hear from other commissioners.

11 Thank you.

12 THE CHAIRMAN: Thank you, Commissioner  
13 Moldovan.

14 Further discussion from the Commission?  
15 Commissioner Porter.

16 COMMISSIONER PORTER: Thank you, Chairman.

17 To the applicant, could you review which  
18 conditions you're agreeable to at this point,  
19 specifically, that you would want included in  
20 the exception?

21 MR. DUGGAN: Thank you.

22 So we have the new site plan. We have the  
23 no basketball tournament on site, and we're  
24 willing to -- but the site plan incorporates  
25 the reduction in outside seating, no outside

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156

1 TVs, no outside bar, the fence -- or the 6-foot  
2 fence, a hundred percent opaque, the  
3 landscaping, all of that is incorporated into  
4 the site plan.

5 But I would say those are all now  
6 conditions. We have the no basketball  
7 tournament on site. We have now offered a  
8 condition that would require signage be  
9 installed at the Haley egress point that would  
10 say, essentially, don't turn right. Whatever  
11 that signage should be, the City will probably  
12 know best, but it will say No Outlet or it will  
13 say Dead End or it will -- you know, it could  
14 say Left Turn Only, something along those  
15 lines.

16 So I would say those are our conditions at  
17 this point.

18 COMMISSIONER PORTER: Thank you.

19 Would you be open to a section of fence  
20 being installed on the back half of the  
21 property from that 6-foot wall towards the  
22 Haley entrance?

23 MR. DUGGAN: Just so my client can make an  
24 important decision, can I bring you the site  
25 plan and you could show me where you want it to

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157

1 go?

2 COMMISSIONER PORTER: Yeah. Essentially

3 what I'm trying to accomplish is closing this

4 off more, so -- especially this section

5 (indicating), from here to here. And then you

6 may not be able to put a fence here; it may be

7 too close to the building or to the road, but

8 potentially tying the fence back into the

9 building there as well, just to try to really

10 separate it from the pedestrian traffic.

11 MR. DUGGAN: Can I show him?

12 COMMISSIONER PORTER: Yes.

13 The other thing I'll add is just that I

14 think the applicant has gone above and beyond

15 to try to make this right, to try to put a

16 product in that's appropriate for the area.

17 Some of these things I -- you know, the

18 basketball tournament -- I don't have a problem

19 with them having a basketball tournament once a

20 year. Maybe we don't, you know, let them have

21 outdoor events after 9 p.m. or after -- you

22 know, at dark. Do you have any thoughts on the

23 fence?

24 MR. DUGGAN: Yes. The applicant and owner

25 both agreed to your suggested revisions. That

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158

1 would be 6-foot, 100 percent opaque.

2 COMMISSIONER PORTER: Yes.

3 MR. DUGGAN: Wood or vinyl?

4 COMMISSIONER PORTER: Either way.

5 MR. DUGGAN: It could be wood or vinyl?

6 COMMISSIONER PORTER: So I'd like to hear

7 more of what -- everyone else's thoughts.

8 I also need to declare ex parte. T.R.

9 Hainline called me yesterday afternoon to just

10 discuss some of the changes to the site plan.

11 THE CHAIRMAN: Thank you, Commissioner

12 Porter.

13 And I'm remiss for not mentioning ex parte

14 earlier. Ex parte is to -- just to show that

15 we have been contacted by anyone not on this

16 commission to discuss anything. And I would --

17 it's quite normal, especially for attorneys, to

18 call commissioners ahead of time.

19 And I was called over the weekend by

20 Mr. Duggan, who informed me that T.R. was out

21 of town and he would be handling the matter in

22 lieu of Mr. Duggan -- in lieu of Mr. Hainline.

23 Does anyone else have any ex-parte

24 communication to declare?

25 Commissioner Brown.

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159

1 COMMISSIONER BROWN: I'd like to disclose

2 ex-parte communication. I spoke to T.R.

3 Hainline in the past 72 hours.

4 THE CHAIRMAN: Thank you, Commissioner

5 Brown.

6 With that -- thank you, Commissioner

7 Porter.

8 I guess I'd like to go ahead and weigh in

9 here. You know, I -- I'm thinking very deeply

10 about this matter and how it affects the

11 community. I would go so far as to say

12 literally and for emphasis that if there was

13 some sort of pedestrian measures put in place

14 for these synagogues and there was a

15 fund-raiser, I would personally, aside from

16 this role, love to get involved and help out

17 with those efforts. I care deeply about the

18 community. I care about public safety. And I

19 care about the reason we're here, to discuss

20 this waiver of liquor distance and this

21 exception.

22 I like what Commissioner Blanchard had to

23 say, that when we really boil this down to what

24 we're here to discuss, we're discussing the

25 exception and the waiver. And we're here to

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160

1 discuss adding liquor to beer and wine.

2 I'm debating on whether or not to say

3 this, but I personally believe -- it's my

4 belief that if someone has a proclivity towards

5 drinking to excess, they will do so with beer,

6 wine or liquor.

7 And I believe strongly that Mr. Harris has

8 really gone above and beyond to accommodate the

9 community, and I think that speaks to -- is

10 evidence of his care and his upbringing within

11 that community. So I'm leaning heavily towards

12 approving this today precautiously [sic], with

13 precaution, for the community.

14 Mr. Harris, if I could ask you a question.

15 I'll ask it pointedly for the sake of it being

16 clear, not to offend. If someone gets hurt

17 here, how are you going to feel? How are you

18 going to empathize with the community? What

19 concerns do you have for the fact that people

20 do drink and then they do drive, and we have,

21 essentially, scared mothers and a scared

22 neighborhood? So what would you -- what would

23 you like to say to them?

24 MR. HARRIS: So my first thought, before

25 you even finished the question, was -- I felt a

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2021-374  
ON FILE

161

1 little pain in my stomach. You know, this is  
2 different than any of my other businesses.  
3 Like, I grew up here. I've been here 30 years.  
4 Like, these are my people just as much as I'm  
5 theirs. Like, it cares more -- like, he cares  
6 more -- (inaudible) didn't even go, Oh, do we  
7 have a lawsuit? Is that person okay? Like --  
8 and if they do see something that I don't, I'm  
9 just a text message away. Like, I would feel  
10 terrible. Like, I would not want to hurt  
11 anybody. I think we've strongly tried to get  
12 every safety measure in place.  
13 One thing Ramzy and I were just talking  
14 about was, apparently at Chick-fil-A, it beeps  
15 when time is expiring. You know, something we  
16 can go to Councilman Boylan on to see if we  
17 could put that -- you know, I would feel awful.  
18 You know, I wouldn't even think about  
19 myself. I would just think about trying to  
20 help them and trying to make sure they can get  
21 through this. Yeah, sure, I'm probably going  
22 to get sued, but that's just irrelevant.  
23 THE CHAIRMAN: All right. Thank you.  
24 Further thoughts from the Commission?  
25 Commissioner Brown.

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162

1 COMMISSIONER BROWN: Thank you.  
2 Through the Chair, I won't push too hard  
3 on this. If there's nobody here from  
4 Canning -- is Jason Canning -- or do you have  
5 any -- is your architect here?  
6 MR. HARRIS: He was here. He had to run.  
7 COMMISSIONER BROWN: Okay. The only  
8 reason I bring that up is I don't think anybody  
9 is sitting up here, or staff would feel, on the  
10 fly, to say, if Haley were closed, if you could  
11 rearrange your parking in a way that would  
12 allow for a pass-through, emergency life  
13 services -- because that is important.  
14 But if you lost some parking on the back  
15 of the building, you have excess parking.  
16 Blocking Haley and turning back through doesn't  
17 sound crazy to me. You could fence all of  
18 Haley. I understand what Commissioner  
19 Blanchard had to say. To me, you function --  
20 from my direct experience -- I worked at, like,  
21 an Applebee's. I worked at some other  
22 corporate, sit-down, table-service, full-bar,  
23 liquor restaurants. Average table time is,  
24 like, 60 minutes, plus. You can't answer me  
25 right now, but I would imagine you run

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163

1 something like that.  
2 You're not cycling these parking stalls  
3 all that frequently. People come in, they stay  
4 for around an hour, some a little less, some  
5 probably much more, and then leave. So you  
6 don't have a ton of ingress and egress, unlike  
7 Chick-fil-A, unlike a fast-service car wash, a  
8 Wendy's. I don't know about a marijuana  
9 dispensary.  
10 But still, my point is, I could see your  
11 patrons becoming accustomed -- because you're  
12 the only one at the intersection because south  
13 is residents. So if you come to that light, I  
14 could see your patrons becoming accustomed to  
15 accessing from San Jose. You probably -- and  
16 you can't answer me right now. You probably  
17 have a lot of repeat patronage and not a ton of  
18 turn.  
19 So I'm not as scared to close Haley  
20 because then all of this community -- although  
21 you are darn close, at least it's opaque, it's  
22 fenced, it's landscaped. If life/safety  
23 equipment could still circle through and get  
24 back out, I personally would like that.  
25 I don't think we can really add it as a

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164

1 condition right now because I don't think we  
2 can get an interpretation from Canning on if  
3 that would comply. I don't want to create a  
4 condition you can't, like, get out the door  
5 with.  
6 MR. HARRIS: Right.  
7 COMMISSIONER BROWN: My other thoughts:  
8 From the community perspective -- this got  
9 touched on a little bit. There are some  
10 organization things as a community you-all  
11 could consider.  
12 You could have, like, a volunteer crossing  
13 guard, neighborhood watch, helpful -- and maybe  
14 it's only temporary. Maybe it's until you  
15 become comfortable with your new neighbor if  
16 this should pass. You may come to realize you  
17 don't need it. I think it's very generous that  
18 you offered to add Fridays and high holiday  
19 security. It's really that one spot at Haley  
20 that's concerning.  
21 If you look at the zoning map, it's really  
22 strange how the subdivision comes right up next  
23 to a San Jose interchange, signalized. As  
24 you've already said, one of the busiest  
25 stretches in Jacksonville. We can't fix that;

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165

1 that happened 40 years ago. But here you come.

2 I think the neighborhood can get a little  
3 asleep at the wheel because Village Inn has  
4 been closed for so long. So you just assumed  
5 it's just going to be a vacant corner. The tax  
6 rolls show this was purchased about four years  
7 ago for a handsome figure. It needs to be  
8 developed or repositioned.

9 I think that since Matt is from the  
10 community -- I think I somehow found my way  
11 into the Daily Record last time -- you could be  
12 the golden ticket. Meaning, you care about the  
13 community. You're of the community. You're  
14 heavily opposed, which is why everybody has so  
15 much heartburn. You've got -- we haven't come  
16 as far as we had probably all hoped. I was  
17 hoping today this would feel different. It  
18 doesn't feel that much different than the last  
19 time.

20 I personally would never have asked or  
21 requested that you shrink your outside seating  
22 the way you did. I do like that you moved it  
23 up and buffered it. It's also the same logic  
24 of why I like the idea of Haley closing off,  
25 but I don't think we can condition that,

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166

1 honestly.

2 Overflow parking, one woman brought that  
3 up. I think that's pretty legitimate. Places  
4 like yours become popular and have peak times.  
5 It could be games. It could be events.  
6 Overflow could be an issue, even though you are  
7 over-parked per City regulation.

8 I do recall from the last -- sharing --  
9 Blue Bamboo does not share -- you have  
10 complementary hours, different peak times, so  
11 it would be nice, especially if Haley were  
12 closed, but -- if all that excess parking flows  
13 up to Blue Bamboo, if you're not peaking at the  
14 same time. I don't think you would.

15 Let's see if I have any other thoughts.  
16 One woman called it a blighted, vacant lot.  
17 I've seen it. It is.

18 You know, my tendency -- you can probably  
19 already tell. My tendency would be to approve  
20 this cautiously. And I would tell the  
21 community -- or remind the community, this  
22 doesn't transfer to every operator. Say Matt's  
23 a bad operator, you run him out of town. The  
24 next person has to come through and do this all  
25 over again. And if he doesn't do well with it,

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167

1 we would be really hesitant to approve the next  
2 guy. And also bear in mind, they can do beer  
3 and wine without talking to us. And we just  
4 talked about a proclivity to alcoholism.  
5 Liquor, beer and wine, it's probably not night  
6 and day.

7 So I think in all evenhanded fairness, I  
8 think Matt probably deserves a shot -- I keep  
9 calling him Matt, the applicant. I don't know  
10 him personally. I think he's one of the better  
11 candidates you're going to get for this. As a  
12 community, maybe consider organizing, watching  
13 out for one another, maybe volunteering a  
14 little bit of your time to watch that corner.

15 And be in touch with Ms. Santana, who is  
16 not here, but we have traffic engineers. You  
17 know, there's additional things that could be  
18 done.

19 So I guess that's enough of my air time.

20 THE CHAIRMAN: Thank you, Commissioner  
21 Brown.

22 Any further discussion from the Commission?

23 Commissioner Hacker.

24 COMMISSIONER HACKER: Thank you, Mr. Chairman.

25 I held off on putting any conditions on my

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168

1 original motion. And I thought that we should  
2 talk through those, so my initial thought --  
3 and I look forward to hearing what the rest of  
4 the Commission has to say.

5 Personally, I don't want to be the guy  
6 that puts a condition on a basketball  
7 fund-raiser for the community. I don't think  
8 that should be in our purview. I feel like if  
9 the applicant has worked that out with the  
10 community, I'll let them go that route.

11 I tend to agree with Commissioner Brown  
12 that the three picnic tables for outside  
13 seating -- to me, I don't see -- I think that's  
14 probably underserved. I would have liked more  
15 outside seating, so that's why I'm hesitant to  
16 just set -- reference the new site plan.

17 I do think the fence that he has proposed,  
18 the landscaping, the additional fence that  
19 Commissioner Porter has brought up are all good  
20 things. And I really think the signage at that  
21 Haley entrance, the Haley egress/entrance is --  
22 are good things.

23 So these are my initial thoughts. I look  
24 forward to hearing from the rest of the  
25 Commission.

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2021-374  
ON FILE

169

1 THE CHAIRMAN: Thank you, Commissioner  
2 Hacker.

3 To Mr. Duggan, do you have a list of  
4 prepared conditions to the extent of all  
5 these -- there's numerous -- I mean, I think  
6 perhaps there's about seven different  
7 concessions here. Is there a list of that?

8 MR. DUGGAN: Thank you, Mr. Chairman.

9 I did send an email to Ms. Johnston and  
10 Mr. Huxford, transmitting the revised site plan  
11 and listing the concessions that were made as  
12 reflected in the site plan and proposing an  
13 additional condition with respect to the  
14 basketball tournament.

15 Other than that, I don't have anything  
16 written out. I think, you know, Mr. Hacker,  
17 what he articulated, I think -- my client, I  
18 think, would be okay with -- If you wanted to  
19 reduce those to writing.

20 THE CHAIRMAN: Well, Commissioner Hacker,  
21 do -- to my fellow commissioners, do any of you  
22 have thoughts about the conditions that ought  
23 to be added here or not added?

24 Commissioner Blanchard.

25 COMMISSIONER BLANCHARD: Thank you, Chairman.  
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170

1 I do understand that the site plan is the  
2 tool that puts all of those conditions in  
3 place. I would agree with Commissioner Hacker.  
4 I think outdoor seating is something that's  
5 very, very common these days, and we're seeing  
6 it more and more and more. And so I would move  
7 to amend the motion to include the current site  
8 plan, but have the outdoor seating area and bar  
9 area consistent with the prior site plan.

10 THE CHAIRMAN: Commissioner Blanchard, are  
11 you --

12 COMMISSIONER BLANCHARD: That was a motion  
13 to amend the motion on the floor.

14 COMMISSIONER HACKER: Second.

15 THE CHAIRMAN: All right. We're now in  
16 the posture where we have a motion and second  
17 for approval of E-21-16 with the most recent  
18 site plan exhibit. However, reversing the  
19 outdoor seating to allow that which was shown  
20 at our prior meeting.

21 Commissioner Blanchard.

22 COMMISSIONER BLANCHARD: Thank you,  
23 Chairman.

24 And through the Chair to Paige, does that  
25 make sense?

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171

1 MS. JOHNSTON: If I may ask a  
2 clarification question: You're not speaking to  
3 the location of the outdoor seating? You're  
4 speaking to the density of the outdoor -- I  
5 just want to make sure I understand what you're  
6 saying.

7 COMMISSIONER BLANCHARD: So essentially,  
8 If you could cut and paste the outdoor seating  
9 from the prior plan and stick it on the new  
10 one, it would be acceptable. I think if the  
11 applicant wants to continue to move it further  
12 north, that's great, but I think that the type  
13 of seating and the nature of that service  
14 should be consistent with what was on the  
15 previous site plan.

16 MS. JOHNSTON: Okay.

17 COMMISSIONER BLANCHARD: So essentially  
18 cutting and pasting that previous version of  
19 the site plan related to outdoor seating,  
20 putting it on the new plan, that all of the  
21 other conditions that are essentially  
22 incorporated into the current site plan would  
23 still be in effect, at least as it relates to  
24 buffering and walls, et cetera.

25 MS. JOHNSTON: So it would -- the  
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172

1 condition would essentially be, the development  
2 would be subject to the revised site plan dated  
3 April 21st, 2021, but the outdoor seating  
4 component shall comply with the prior -- either  
5 density, but not location -- the density will  
6 comply with the original site plan.

7 COMMISSIONER BLANCHARD: The density and  
8 type of service, yes, ma'am.

9 MS. JOHNSTON: I'm sorry. Say that again.

10 COMMISSIONER BLANCHARD: The nature of the  
11 service, the type of service.

12 MS. JOHNSTON: Nature and type of the  
13 service. Okay.

14 THE CHAIRMAN: Nature and capacity.

15 MS. JOHNSTON: And that's -- so we're only  
16 talking about one condition at this point?

17 COMMISSIONER BLANCHARD: Yes, ma'am.

18 MS. JOHNSTON: Okay. That incorporates  
19 everything that Mr. Duggan stated in the  
20 concessions within the site plan, but we  
21 haven't talked about the -- Mr. Porter's  
22 suggestion on the extension of the fence, correct?

23 COMMISSIONER BLANCHARD: We have not  
24 addressed that. If Mr. Porter wants to make  
25 that amendment, he certainly can. Yes, ma'am.

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173

1 MS. JOHNSTON: If he does want to make  
2 that, I just need a little more clarification  
3 also where that location would be because I  
4 wasn't able to see.

5 So if you do make that amendment,  
6 Mr. Porter, perhaps Mr. Duggan can assist me  
7 with that.

8 MR. DUGGAN: (Tenders document to  
9 Ms. Johnston.)

10 THE CHAIRMAN: And, with that, while they  
11 are working through that, I want to  
12 personally -- I don't want to do -- the  
13 applicant has made concessions and they have  
14 been discussed and worked through with the  
15 synagogues, and I'm not desirous to mess with  
16 that too much further. It's not up to me, but  
17 were it up to me, I would not like to mess with  
18 that too much further.

19 The basketball tournament is a specific  
20 concern to what I call the Sabbath. So the  
21 applicant was gracious enough to make these  
22 concessions, and I'd kind of like to leave  
23 things about where they were currently right to  
24 this moment rather than -- so if the basketball  
25 tournament is a condition, I would like that

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174

1 condition -- the preclusion of a basketball  
2 tournament to remain a condition because it was  
3 something that was discussed with the community  
4 before this meeting.

5 Just my own thought there. Currently, we  
6 do not have a basketball -- outdoor athletic  
7 activity condition. I think it's a great  
8 fund-raiser. But there's been discussions  
9 between the applicant and the synagogues to not  
10 have that at this point, and so ...

11 I can't make motions, so someone would  
12 have to pick up the torch on my behalf or not.

13 Okay. Commissioner Blanchard, would you  
14 clarify that for me? I'm sorry.

15 COMMISSIONER BLANCHARD: Thank you, Chairman.

16 And through the Chair to Paige, I think  
17 we're in the posture that I believe I made an  
18 amendment to the motion, and I believe there  
19 was a second, but I'm not certain. And if  
20 we're in that posture, then I think we're in a  
21 position to take a vote on the amendment. Is  
22 that true?

23 MS. JOHNSTON: Yes.

24 Through the Chair, you can vote on the  
25 amendment and then someone else can offer an

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175

1 amendment for Mr. Garrison or if Mr. Porter  
2 wants to make an amendment. Then, at the end  
3 of the process, we can roll all that together.  
4 You know, if there's, you know, two, three,  
5 four conditions, then I will, again, repeat  
6 what I think the conditions are so that  
7 everyone is aware and understands what you're  
8 voting on.

9 THE CHAIRMAN: Understood.

10 So I have a motion and a second for  
11 approval of E-21-16 with the --

12 MS. JOHNSTON: Mr. Chairman, you don't  
13 need to vote on the approval with the  
14 condition. Just vote on the amendment --

15 THE CHAIRMAN: Okay.

16 MS. JOHNSTON: -- unless that's going to  
17 be the only amendment.

18 THE CHAIRMAN: Okay. Well, I have a  
19 motion and second to amend the condition to --

20 MS. JOHNSTON: So you're voting on the --  
21 to amend -- to add his condition?

22 THE CHAIRMAN: Right.

23 MS. JOHNSTON: Yes.

24 THE CHAIRMAN: Yes. So I have --

25 MS. JOHNSTON: Okay. Sorry. I thought

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176

1 you were voting on the whole --

2 THE CHAIRMAN: Right. No. So I have a  
3 motion and a second to amend this motion to  
4 include the most recent site plan exhibit but  
5 to incorporate the prior site plan exhibits,  
6 outdoor seating, as it relates to the nature  
7 and capacity. So that is our new posture,  
8 and ...

9 Commissioner Porter.

10 COMMISSIONER PORTER: And his additional wall.

11 THE CHAIRMAN: Thank you. As well as the  
12 additional --

13 MS. JOHNSTON: Well, that needs to be done  
14 separately. That's what I'm trying to get  
15 everyone to clarify for me, what the individual  
16 conditions are.

17 THE CHAIRMAN: All right. If I could have  
18 a vote on that amendment.

19 All those in favor?

20 COMMISSION MEMBERS: Aye.

21 THE CHAIRMAN: Any opposed?

22 COMMISSION MEMBERS: (No response.)

23 THE CHAIRMAN: All right. We're currently  
24 in a posture of a motion and second for  
25 approval with the exhibits and conditions as

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177

1 stated to date.

2 Commissioner Porter.

3 COMMISSIONER PORTER: Mr. Chair, I'd like  
4 to amend the motion to add the additional  
5 fencing per the sketch.

6 COMMISSIONER MOLDOVAN: Second.

7 THE CHAIRMAN: All right. I have a motion  
8 and second to amend the motion additionally, to  
9 incorporate the sketch as submitted to the  
10 Office of General Counsel, to add additional  
11 fencing at 6-foot with no opacity.

12 All those in favor?

13 COMMISSION MEMBERS: Aye.

14 THE CHAIRMAN: Any opposed?

15 COMMISSION MEMBERS: (No response.)

16 THE CHAIRMAN: All right. That motion  
17 passes as well.

18 Commissioner Hacker.

19 COMMISSIONER HACKER: Motion to amend that  
20 the applicant provide egress signage at Haley  
21 Road.

22 THE CHAIRMAN: Do we have a second or do  
23 we die for lack of a second?

24 COMMISSIONER BROWN: Second.

25 THE CHAIRMAN: All right. We have a

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178

1 motion and a second to further amend the motion  
2 so that some sort of signage be provided at the  
3 ingress/egress on Haley Road to encourage  
4 people not to go down the one-way street that  
5 is perpendicular thereto.

6 All those in favor?

7 COMMISSION MEMBERS: Aye.

8 COMMISSIONER BLANCHARD: I have comments,  
9 Chairman.

10 THE CHAIRMAN: Sorry.

11 Commissioner Blanchard.

12 COMMISSIONER BLANCHARD: Thank you,  
13 Chairman.

14 I agree with the intent. I don't know  
15 that it's our position or purview to legislate  
16 traffic. And I think the issue is that none of  
17 us are traffic experts. And I think if you put  
18 that in there, you have to say "or as otherwise  
19 approved by the City of Jacksonville" because  
20 we don't know if that's even allowed or  
21 appropriate or -- FDOT has got some call here,  
22 too. So I don't think we can address signage.  
23 Typically, we don't have the ability to say  
24 where a sign should go or not go. There are  
25 ordinances for those things.

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179

1 So if the applicant wants to do that, and  
2 the City says it's okay, and everybody agrees,  
3 then that's fine, but I don't think you can  
4 compel them to do that because we should not  
5 have that right or authority. So you'd have to  
6 refer to the City and say "or as otherwise  
7 approved" because the City may not allow it.

8 THE CHAIRMAN: Further discussion?

9 Thank you, Commissioner Blanchard.  
10 Commissioner Moldovan.

11 COMMISSIONER MOLDOVAN: Commissioner  
12 Blanchard makes a good point; however, this was  
13 one condition that made this sit a little bit  
14 easier on me.

15 You know, I think we can't dictate traffic  
16 on City roads, but I think -- you know, I think  
17 it is within our purview to try and set a  
18 condition to make this operation a bit safer.  
19 And the one main issue, this egress onto Haley,  
20 that really gave me reservations with this  
21 application.

22 I personally would like to see this  
23 condition stay, but I understand where  
24 Commissioner Blanchard is coming from.

25 THE CHAIRMAN: I personally -- I believe

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180

1 that adding the comment, you know, in so much  
2 as it can be approved by the City of  
3 Jacksonville, would be appropriate. So that  
4 would allow the --

5 Yes, Paige.

6 MS. JOHNSTON: I'm sorry to interrupt you,  
7 but I have a point that could address  
8 Mr. Blanchard's concern and also Mr. Moldovan's.

9 Staff and I were listening earlier when  
10 you were talking about signs, whether they  
11 would be Dead End or No Exit or things along  
12 that nature, and we were concerned about  
13 identifying the specific type of sign without  
14 having traffic engineering giving their input.

15 Therefore, we had talked about maybe  
16 drafting a condition that would read similar  
17 to: Directional signage on Haley Road at the  
18 access point shall be installed subject to the  
19 review and approval of the Planning and  
20 Development Department.

21 And then it would be up to Traffic  
22 Engineering to determine what type of signage  
23 would be appropriate and whether it would be  
24 appropriate.

25 So that may make both commissioners happy.

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181

1 THE CHAIRMAN: Thank you, Paige.  
2 I would be agreeable to incorporating the  
3 language that Paige just stated, which is very  
4 similar to the language that Commissioner  
5 Blanchard said, too.  
6 Further discussion?  
7 Commissioner Hacker.  
8 COMMISSIONER HACKER: I'd like to amend my  
9 amendment to the traffic information as read by  
10 Paige Johnston, OGC.  
11 COMMISSIONER PORTER: Second.  
12 THE CHAIRMAN: Commissioner Porter, okay.  
13 So I have a motion and a second to amend  
14 the amendment to match verbiage as stated by  
15 the Office of General Counsel.  
16 Discussion from the Commission?  
17 Commissioner Moldovan.  
18 COMMISSIONER MOLDOVAN: Thank you,  
19 Mr. Chairman.  
20 Just to clarify, would this -- I'm trying  
21 to figure out -- so this would keep the  
22 condition for signage exiting onto Haley but as  
23 per Ms. Johnston's verbiage; is that correct?  
24 THE CHAIRMAN: Yes.  
25 COMMISSIONER MOLDOVAN: Thank you.  
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182

1 THE CHAIRMAN: Yes. Thank you,  
2 Commissioner Moldovan.  
3 Further discussion on this amendment  
4 before we vote from the Commission?  
5 Commissioner Brown.  
6 COMMISSIONER BROWN: This won't be a  
7 condition, but -- because we really can't get  
8 through this any other way, but I would love to  
9 see you -- you don't have to do it. I'm just  
10 staring at you. I would love to see you try,  
11 like, a temporary blockade of some kind.  
12 There's lots of different ways to do it;  
13 planters, a temporary -- at Haley with some --  
14 you know what a bandit sign is? You stick it  
15 in the ground, like, an open house. Some  
16 bandit signs may be out in the median of  
17 San Jose. Give it a shot. Maybe people don't  
18 struggle with that U-turn and you get most of  
19 your people coming through San Jose. I  
20 don't -- we're not going to place this rule on  
21 you.  
22 I would just love -- for the sake of your  
23 community, I would love for you to test and  
24 measure as many safety protocols as you can  
25 because we're kind of going out on a little bit  
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183

1 of a limb.  
2 THE CHAIRMAN: Thank you, Commissioner Brown.  
3 Commissioner Moldovan.  
4 COMMISSIONER MOLDOVAN: I would just like  
5 to informally "hear, hear" that. Like  
6 Commissioner Brown said, I don't think we can  
7 place a condition on that, but I think that  
8 would satisfy the need for -- if there were an  
9 emergency, maybe it could be a temporary  
10 blockade that could be removed easily, but  
11 something just to encourage folks not to use  
12 Haley Road.  
13 Thank you.  
14 THE CHAIRMAN: Thank you, Commissioner  
15 Moldovan.  
16 Further discussion from the Commission?  
17 COMMISSION MEMBERS: (No response.)  
18 THE CHAIRMAN: All right. Seeing none, I  
19 have a motion and a second -- I'm still voting  
20 on the amendment to the --  
21 MS. JOHNSTON: Yes. You're voting on the  
22 last item.  
23 THE CHAIRMAN: Thank you.  
24 So I have a motion and a second to amend  
25 our motion related to signage.  
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184

1 All those in favor?  
2 COMMISSION MEMBERS: Aye.  
3 THE CHAIRMAN: Any opposed?  
4 COMMISSION MEMBERS: (No response.)  
5 THE CHAIRMAN: That motion passes.  
6 We're currently in a posture of a motion  
7 and second for approval as amended by all of  
8 the foregoing amendments.  
9 MS. JOHNSTON: So far, there's three  
10 conditions, just so everyone is aware.  
11 THE CHAIRMAN: It feels like many more  
12 conditions than three to me.  
13 MS. JOHNSTON: And I can go through it at  
14 any point if you want.  
15 THE CHAIRMAN: Commissioner Moldovan.  
16 COMMISSIONER MOLDOVAN: Thank you,  
17 Mr. Chairman.  
18 I just want to add, you know, it's tough  
19 for me to go back on my original opinion on  
20 this and my stance, but I believe we have had a  
21 lot of information to digest over the last two  
22 weeks, you know, and a lot of things to  
23 consider. My heart goes out to the community.  
24 I truly do care about your safety. I also care  
25 about businesses being able to flourish in  
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2021-374  
ON FILE

185

1 Jacksonville.

2 I think Mr. Harris has gone above and  
3 beyond. He's been very flexible. As  
4 Commissioner Brown has said and it's been  
5 quoted in the papers, this is your golden  
6 ticket. If this were a corporate  
7 establishment, they are not going to give you  
8 the time of day to even consider your opinion  
9 of this.

10 But I did just want to say, you know, I do  
11 think I'm going to support this, and I do care  
12 about your safety. And I hope to God that  
13 Mr. Harris here will do his best to train his  
14 staff and run a tight ship and make sure that  
15 customers are consuming safely and responsibly.

16 And I'll leave it at that.

17 THE CHAIRMAN: Thank you, Commissioner  
18 Moldovan.

19 Further discussion from the Commission?

20 COMMISSION MEMBERS: (No response.)

21 THE CHAIRMAN: All right. Seeing none, I  
22 have a motion and a second for approval with  
23 the amended conditions and exhibits as  
24 discussed.

25 All those in favor?

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186

1 COMMISSION MEMBERS: Aye.

2 THE CHAIRMAN: Any opposed?

3 COMMISSION MEMBERS: (No response.)

4 THE CHAIRMAN: That motion passes.

5 All right. Thank you all for being here.

6 MR. DUGGAN: We have two applications.

7 THE CHAIRMAN: That's right,

8 Commissioner Hacker.

9 Sir -- sir -- please. Thank you.

10 COMMISSIONER HACKER: I'd move to approve  
11 WLD-21-04.

12 COMMISSIONER MOLDOVAN: Second.

13 THE CHAIRMAN: All right. We have a  
14 motion and a second for approval of WLD-21-04.

15 Discussion from the Commission?

16 COMMISSION MEMBERS: (No response.)

17 THE CHAIRMAN: Seeing none, I have a  
18 motion and a second for approval.

19 All those in favor?

20 COMMISSION MEMBERS: Aye.

21 THE CHAIRMAN: Any opposed?

22 COMMISSION MEMBERS: (No response.)

23 THE CHAIRMAN: Thank you. That motion  
24 passes as well.

25 MR. HUXFORD: Shall we take a five-minute

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187

1 recess?

2 THE CHAIRMAN: You know, I'd think we'd be  
3 okay -- we need to handle a couple of  
4 withdrawals and then old business, new business  
5 if I'm -- you know, Folks, it's like you've  
6 been here a while. You know better than me.

7 Let's take a five-minute recess and let  
8 everyone clear out and then wrap it up.

9 (Commissioner Blanchard exits the  
10 proceedings.)

11 (Brief recess.)

12 THE CHAIRMAN: We're back in order, in  
13 session. We're back in business.

14 Commissioner Hacker, please go ahead.

15 COMMISSIONER HACKER: Mr. Chairman, I move  
16 to withdraw E-20-46, Salisbury Road.

17 COMMISSIONER MOLDOVAN: Second.

18 THE CHAIRMAN: I have a motion and second  
19 to withdraw Salisbury Road.

20 Any discussion from the Commission?

21 COMMISSION MEMBERS: (No response.)

22 THE CHAIRMAN: All right. Seeing none, we  
23 have a motion and a second for approval.

24 All those in favor?

25 COMMISSION MEMBERS: Aye.

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188

1 THE CHAIRMAN: Any opposed?

2 COMMISSION MEMBERS: (No response.)

3 THE CHAIRMAN: All right. That motion passes.

4 COMMISSIONER HACKER: I move to withdraw  
5 MM-19-06, Collins Road.

6 COMMISSIONER MOLDOVAN: Second.

7 THE CHAIRMAN: All right. I have a motion  
8 and second for withdrawal of MM-19-06.

9 Any discussion from the Commission?

10 COMMISSION MEMBERS: (No response.)

11 THE CHAIRMAN: Seeing none -- excuse me,  
12 yes, sir, Bruce.

13 Mr. Lewis, if you would.

14 MR. LEWIS: (Inaudible.)

15 THE CHAIRMAN: Any discussion from the  
16 Commission?

17 COMMISSION MEMBERS: (No response.)

18 THE CHAIRMAN: Seeing none, I have a  
19 motion and a second for withdrawal.

20 All those in favor?

21 COMMISSION MEMBERS: Aye.

22 THE CHAIRMAN: All right. Any opposed?

23 COMMISSION MEMBERS: (No response.)

24 THE CHAIRMAN: All right. That motion  
25 passes as well.

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189

1 All right. Do we have any new business to  
2 discuss?  
3 (No response.)  
4 THE CHAIRMAN: Any old business to discuss?  
5 MR. HUXFORD: Mr. Chairman, you had  
6 inquired about possible legislation regarding  
7 alcohol sales as it pertains to LUZ. My  
8 understanding -- and Paige can chime in on  
9 this. Nothing has been introduced yet, but we  
10 did get an update from LUZ, so --  
11 But the -- as I recall from Tuesday night,  
12 it would be that waivers of alcohol -- waivers  
13 of liquor distance, as well as liquor sales  
14 would go to the LUZ Committee for  
15 consideration. But Chris Hagan was there  
16 advocating for it, and he was suggesting that  
17 it do go through the Planning Commission for a  
18 recommendation, as you do for rezonings and  
19 land use amendments, so --  
20 But my understanding is that Mr. Gaffney  
21 intends to have a couple of meetings on this  
22 before actually getting the legislation filed.  
23 So it may change or it may even go away  
24 altogether.

25 That's the latest I've heard.  
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190

1 THE CHAIRMAN: Thank you, Folks.  
2 And I did hear one thing about this.  
3 Mr. Hagan explained to me that his concern with  
4 this had to do with CCG-2 allowing alcohol by  
5 rights. And he explained to me that that was  
6 his full extent of concern regarding this, is  
7 that CCG-2 would no longer allow liquor sales  
8 by right, but, rather, they, themselves as well  
9 would have to come through and get some sort of  
10 a waiver.  
11 I don't know that -- I can't speak for  
12 Mr. Hagan, but I don't know that he wants his  
13 name attached to the full idea that the  
14 Planning Commission, which he was a part of for  
15 numerous, numerous, numerous years, that he's  
16 trying to strip it of its powers and its  
17 service to the community.  
18 MR. HUXFORD: I would also -- when and if  
19 that time comes, I'm going to suggest that  
20 there be a conversation about what impact it  
21 would have should the day come that the State  
22 comes and changes the rules and grocery stores  
23 and the like are allowed to sell liquor on the  
24 shelves next to the beer and wine, because many  
25 shopping centers have liquor stores.

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191

1 And if there's any discussion about  
2 putting distance requirements from one liquor  
3 store to another, it could have an impact on  
4 grocery stores if there's already a liquor  
5 store in the shopping center.  
6 THE CHAIRMAN: Thank you, Folks.  
7 Any further discussion?  
8 COMMISSION MEMBERS: (No response.)  
9 THE CHAIRMAN: We would like to go back to  
10 Council Chambers. We still would like to  
11 return there. I would like to urge Council  
12 President Tommy Hazouri to see it in his heart  
13 to consider the good of the taxpayers that  
14 deserve to be in the best venue with the best  
15 technology so that they can see the benefits of  
16 the tax dollars that they spend -- and their  
17 property taxes -- and be returned to City Hall  
18 proper.  
19 I would encourage him to exercise his  
20 power that he has over his own staff as the  
21 president of City Council and write an email  
22 that says "Please place the Planning Commission  
23 back in Council Chambers."  
24 I love to hide behind emails. It's not as  
25 scary if you email somebody so, hopefully, he

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192

1 will do that.  
2 Commissioner Brown.  
3 COMMISSIONER BROWN: Through the Chair, I  
4 do think we would have more civility if we were  
5 back in those -- Council Chambers. We're all  
6 in the same -- they're close -- I'm not  
7 personally afraid. There's no fear, but  
8 there's definitely more -- it would be easier  
9 to carry Robert's Rules. It would be easier to  
10 carry a simple hearing if we were back there.  
11 I think the informality of this venue hurts us  
12 sometimes.  
13 THE CHAIRMAN: More importantly, it hurts  
14 the -- his constituents and the citizens of  
15 Jacksonville who deserve better.  
16 Anything further?  
17 COMMISSION MEMBERS: (No response.)  
18 THE CHAIRMAN: All right. Seeing no  
19 further discussion, meeting is adjourned.  
20 Thank you.  
21 (The foregoing proceedings were adjourned  
22 at 4:40 p.m.)  
23 - - -  
24  
25

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**CERTIFICATE OF REPORTER**

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**STATE OF FLORIDA)**

**COUNTY OF DUVAL )**

I, Diane M. Tropia, Florida Professional  
Reporter, certify that I was authorized to and did  
stenographically report the foregoing proceedings and  
that the transcript is a true and complete record of my  
stenographic notes.

**DATED this 12th day of May 2021.**

\_\_\_\_\_  
**Diane M. Tropia**  
**Florida Professional Reporter**

**Diane M. Tropia, Inc., Post Office Box 2375, Jacksonville, FL 32203**  
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<b>\$</b>	<b>2-COP</b> [1] - 154:3 2.25 [1] - 36:21 2.5 [1] - 36:21 20 [3] - 24:5, 128:16, 150:10 2001 [2] - 13:24, 15:1 2017 [1] - 64:9 2018 [1] - 60:9 2019 [3] - 13:25, 15:1, 19:10 2020-0020 [1] - 5:24 2020-0340 [1] - 5:22 2020-0391 [1] - 5:22 2020-0575 [1] - 5:23 2020-0689 [1] - 5:24 2021 [8] - 1:6, 2:1, 2:4, 4:10, 4:23, 4:25, 172:3, 193:15 2021-0011 [1] - 5:25 2021-0170 [1] - 5:25 2021-0193 [1] - 6:3 2021-0195 [7] - 6:20, 48:12, 48:15, 49:14, 50:25, 51:6, 51:17 2021-0196 [7] - 6:22, 53:19, 53:21, 54:25, 55:18, 55:24, 56:2 2021-0197 [7] - 6:23, 59:23, 59:24, 60:16, 61:19, 61:25, 62:4 2021-0198 [6] - 6:24, 63:15, 63:17, 65:4, 65:10, 65:13 2021-0199 [7] - 6:18, 46:24, 47:1, 47:14, 47:18, 47:24, 48:2 2021-200 [1] - 43:6 2064 [1] - 87:10 214 [1] - 1:7 21st [1] - 172:3 22nd [2] - 4:23, 4:25 24 [1] - 68:1 25 [3] - 24:5, 36:2, 118:25 25-foot [1] - 37:3 2661 [1] - 97:12 2801 [1] - 123:21 2803 [1] - 90:25 2845 [1] - 73:3 2886 [1] - 115:11 2922 [1] - 120:3 2937 [1] - 116:19 2950 [1] - 130:18 2966 [1] - 132:8 2969 [1] - 127:1 2:57 [1] - 115:3	<b>3,000-square-foot</b> [1] - 41:20 3,100 [2] - 32:12, 41:21 3-acre [1] - 47:7 30 [3] - 74:1, 98:11, 161:3 3008 [1] - 20:2 320 [1] - 84:12 32223 [1] - 97:13 32234 [1] - 11:5 32257 [12] - 20:3, 73:4, 76:9, 80:4, 101:2, 104:17, 109:11, 113:6, 115:12, 120:4, 127:3, 132:9 32258 [4] - 17:6, 30:2, 43:19, 55:7 32266 [1] - 64:19 32277 [1] - 14:11 341 [1] - 5:22 35 [3] - 38:25, 39:7, 98:5 350 [1] - 23:2 3550 [1] - 13:18 38 [1] - 77:7 3:10 [1] - 119:17	<b>60-plus</b> [1] - 77:11 6415 [1] - 7:5 656,133 [1] - 86:15 69,000 [1] - 60:19 6th [1] - 2:4	<b>40:5</b> accident [1] - 150:12 accidents [2] - 78:15, 138:7 accommodate [8] - 4:19, 49:5, 70:9, 72:11, 85:17, 86:5, 87:2, 160:8 accommodating [1] - 86:7 accomplish [1] - 157:3 accomplished [1] - 78:1 accordingly [1] - 110:16 accurate [1] - 3:1 accustomed [2] - 163:11, 163:14 acquired [1] - 47:7 acre [4] - 32:19, 39:6, 39:9 Acres [1] - 11:5 acres [5] - 10:11, 48:16, 53:22, 59:25, 63:18 act [1] - 89:1 action [1] - 86:4 active [1] - 107:11 activities [1] - 19:17 activity [2] - 106:21, 174:7 actual [1] - 108:2 AD-21-05 [1] - 5:20 ADA [1] - 140:15 adamant [1] - 154:8 add [14] - 43:2, 43:10, 61:3, 61:7, 136:13, 147:15, 148:23, 157:13, 163:25, 164:18, 175:21, 177:4, 177:10, 184:18 added [3] - 97:8, 169:23 adding [5] - 44:14, 96:13, 133:17, 160:1, 180:1 addition [4] - 63:24, 70:21, 92:2, 147:15 additional [11] - 44:15, 48:24, 63:24, 150:14, 167:17, 168:18, 169:13, 176:10, 176:12, 177:4, 177:10 additionally [2] - 126:10, 177:8 address [33] - 4:22, 8:8, 11:8, 14:9, 17:2, 20:1, 37:4	
<b>'</b>					
<b>'70s</b> [1] - 154:16					
<b>0</b>					
<b>0194</b> [1] - 6:3					
<b>1</b>	<b>1</b> [3] - 60:23, 68:2, 106:24 1,252 [1] - 32:11 1.3.8 [1] - 137:15 10 [4] - 38:25, 57:2, 81:4, 106:8 10-foot [2] - 81:2, 143:13 100 [2] - 74:24, 158:1 101 [1] - 29:11 10140 [1] - 66:11 10146 [1] - 109:10 10279 [1] - 113:5 103rd [1] - 7:12 118th [1] - 7:7 1200 [1] - 60:24 1274 [1] - 17:5 12740 [2] - 30:1, 55:6 12th [1] - 193:15 13 [2] - 74:8, 75:2 1301 [2] - 49:19, 67:13 13959 [2] - 32:7, 33:4 14190 [1] - 19:3 145 [1] - 48:19 14775 [1] - 43:18 15 [1] - 128:16 150 [1] - 74:14 1500 [2] - 49:20, 67:14 1520 [1] - 64:18 1535 [1] - 94:20 165 [1] - 8:10 1650 [1] - 34:19 18 [2] - 53:22, 147:1 18th [1] - 4:10 1959 [1] - 77:9 1990 [1] - 117:8 1:05 [2] - 1:7, 2:1 1st [2] - 1:8, 84:13	<b>4</b> 4 [1] - 86:18 40 [3] - 77:3, 77:23, 165:1 45 [1] - 63:18 450 [1] - 36:17 4800 [1] - 10:9 49 [1] - 78:8 4:40 [1] - 192:22	<b>7</b> 7 [1] - 112:2 706 [1] - 84:13 707 [1] - 6:3 72 [1] - 159:3 74 [1] - 48:16 741 [1] - 6:4 7818 [1] - 16:13 7968 [1] - 47:2	<b>8</b> 8-foot [1] - 81:3 8273 [1] - 14:10 855 [1] - 89:17	<b>9</b> 9 [2] - 106:4, 157:21 90 [2] - 48:19, 54:1 9001 [1] - 11:4 9446 [2] - 80:3, 101:1 9951 [1] - 104:16 9:00 [2] - 71:14, 82:14
<b>2</b>	<b>2</b> [1] - 106:24 2,400 [3] - 41:3, 41:7, 41:21	<b>5</b> 5 [2] - 4:12, 86:18 5,000 [1] - 63:20 50 [1] - 33:25 500 [1] - 10:17 51 [3] - 78:5, 78:8, 83:20	<b>A</b> ability [2] - 83:6, 178:23 able [8] - 19:11, 24:6, 24:17, 69:9, 143:18, 148:22, 157:6, 173:4, 184:25 absolute [1] - 125:11 absolutely [3] - 56:15, 99:2, 142:8 Absolutely [1] - 82:2 ABT [1] - 26:12 abuse [2] - 102:19, 102:21 abutting [1] - 7:16 accept [1] - 127:18 acceptable [2] - 50:13, 171:10 access [8] - 37:19, 41:16, 52:8, 52:16, 136:24, 138:14, 138:19, 180:18 accesses [1] - 105:8 accessible [1] - 37:19 accessing [2] - 138:4, 163:15 accessory [2] - 32:10,	<b>2021-0574</b>	
	<b>3</b> 3 [1] - 106:24	<b>6</b> 6 [2] - 1:6, 2:1 6,000-square-foot [1] - 41:19 6-foot [8] - 69:25, 80:25, 85:22, 142:25, 156:1, 156:21, 158:1, 177:11 60 [1] - 162:24			

<p>20:1, 33:3, 64:17, 67:11, 72:25, 76:7, 76:24, 79:23, 84:11, 85:24, 89:15, 101:1, 104:15, 105:17, 105:24, 107:22, 109:8, 113:4, 120:1, 123:20, 126:25, 130:16, 132:7, 138:25, 141:15, 151:13, 178:22, 180:7 addressed [6] - 4:16, 121:8, 121:9, 121:13, 125:10, 172:24 adequate [1] - 131:9 adjacent [5] - 64:8, 148:4, 148:8, 148:11, 148:12 adjoining [1] - 62:22 adjourned [2] - 192:19, 192:21 Adkison [2] - 2:14, 2:15 administrative [1] - 3:18 adult [2] - 99:25, 100:8 adults [4] - 99:12, 99:15, 99:23, 102:24 adverse [1] - 60:14 advertise [1] - 22:22 advice [1] - 78:23 advocating [1] - 189:16 aesthetic [1] - 105:18 affected [4] - 144:4, 145:10, 145:14, 146:3 affects [2] - 50:16, 159:10 affirm [29] - 8:14, 11:12, 14:17, 17:12, 20:9, 30:8, 33:11, 35:2, 43:25, 73:10, 76:15, 80:8, 84:19, 87:25, 89:24, 91:7, 95:4, 97:19, 101:8, 104:23, 109:17, 113:15, 115:18, 117:1, 120:10, 124:3, 127:9, 130:24, 132:15 afforded [1] - 24:25 afraid [3] - 39:15, 61:13, 192:7 afternoon [12] - 67:8, 68:1, 73:17, 76:21, 79:21, 90:24, 91:13,</p>	<p>95:10, 105:4, 109:23, 121:17, 158:9 afternoons [1] - 111:6 agencies [2] - 77:4, 98:10 agenda [3] - 4:15, 4:18, 22:18 agendas [1] - 22:18 aggressive [1] - 81:6 ago [14] - 27:1, 36:19, 66:15, 68:2, 91:18, 102:11, 102:18, 105:5, 124:13, 128:23, 150:13, 151:20, 165:1, 165:7 agree [6] - 17:21, 30:16, 39:25, 136:12, 138:18, 152:12, 168:11, 170:3, 178:14 agreeable [2] - 155:18, 181:2 agreed [1] - 157:25 agrees [1] - 179:2 Agriculture [1] - 10:14 ahead [18] - 8:20, 14:23, 20:15, 32:17, 33:17, 34:17, 35:8, 37:14, 55:9, 64:21, 67:17, 72:22, 82:10, 113:21, 135:7, 158:18, 159:8, 187:14 air [1] - 167:19 Alan [4] - 73:24, 74:2, 100:22, 100:25 alcohol [11] - 19:12, 27:17, 87:3, 93:16, 102:19, 134:6, 148:11, 148:23, 189:7, 189:12, 190:4 alcoholic [1] - 7:8 alcoholism [1] - 167:4 Ale [3] - 78:7, 83:18, 90:12 ALEX [1] - 1:15 Allegiance [2] - 2:10, 2:12 alleviate [1] - 40:2 allow [17] - 32:12, 44:13, 49:9, 53:25, 59:25, 60:3, 61:14, 63:19, 63:25, 75:24, 108:8, 153:22, 162:12, 170:19, 179:7, 180:4, 190:7 allowed [6] - 43:3, 43:9, 48:18, 93:15, 108:21, 111:11,</p>	<p>149:1, 178:20, 190:23 allowing [7] - 60:13, 83:11, 90:14, 93:21, 98:2, 101:15, 190:4 allows [1] - 52:9 almost [4] - 32:19, 39:5, 81:20, 83:14 alone [2] - 137:9, 154:7 aloud [1] - 6:6 ALSO [1] - 1:17 alternatives [1] - 152:4 altogether [1] - 189:24 Alton [1] - 5:23 amazing [1] - 129:9 amend [12] - 170:7, 170:13, 175:19, 175:21, 176:3, 177:4, 177:8, 177:19, 178:1, 181:8, 181:13, 183:24 amended [2] - 184:7, 185:23 amendment [14] - 172:25, 173:5, 174:18, 174:21, 174:25, 175:1, 175:2, 176:18, 175:17, 176:18, 181:9, 181:14, 182:3, 183:20 amendments [3] - 3:24, 184:8, 189:19 analyses [1] - 135:25 analysis [1] - 136:6 Andrew [2] - 123:15, 123:21 angle [1] - 34:21 animal [1] - 125:22 answer [6] - 35:23, 38:20, 38:21, 44:20, 72:9, 149:7, 149:9, 162:24, 163:16 answers [1] - 96:2 anti [5] - 79:4, 79:8, 103:3, 103:6, 103:10 anti-Semitism [5] - 79:4, 79:8, 103:3, 103:6, 103:10 anticipate [1] - 49:10 anyway [2] - 95:14, 108:7 apartment [3] - 44:9, 44:11, 50:3 apartment-style [1] - 50:3 apologize [1] - 22:13</p>	<p>apology [1] - 127:18 applaud [1] - 152:25 Applebee's [1] - 162:21 applicable [1] - 32:22 applicant [22] - 21:12, 40:23, 47:13, 47:15, 66:16, 67:20, 70:21, 105:9, 109:1, 118:2, 139:8, 155:17, 157:14, 157:24, 167:9, 168:9, 171:11, 173:13, 173:21, 174:9, 177:20, 179:1 applicants [1] - 146:14 application [16] - 4:14, 10:8, 13:17, 23:8, 32:6, 36:14, 48:14, 49:7, 53:20, 54:8, 54:23, 63:16, 66:9, 106:2, 147:25, 179:21 applications [6] - 42:25, 66:20, 70:22, 72:3, 147:13, 186:6 applied [4] - 78:11, 120:18, 120:19, 144:10 apply [2] - 51:13, 121:5 appreciate [12] - 11:25, 17:20, 23:8, 33:19, 37:10, 37:15, 56:8, 67:10, 89:8, 97:4, 152:10, 155:3 appreciated [1] - 16:9 approached [4] - 99:5, 141:24, 142:20, 143:4 approaches [36] - 7:23, 11:1, 14:7, 17:1, 19:24, 29:23, 33:1, 34:9, 37:13, 43:15, 49:17, 55:4, 60:21, 64:15, 67:5, 72:24, 76:1, 79:20, 84:9, 87:9, 89:13, 90:23, 94:19, 97:11, 100:24, 104:5, 109:7, 113:2, 115:9, 116:18, 119:24, 123:18, 126:23, 130:14, 135:6, 141:18 appropriate [13] - 11:23, 25:18, 43:12, 64:10, 112:12, 114:24, 148:17,</p>	<p>149:8, 157:16, 178:21, 180:3, 180:23, 180:24 appropriately [1] - 80:24 approval [60] - 5:3, 5:8, 7:21, 8:22, 9:16, 9:20, 12:5, 13:2, 13:6, 15:16, 15:20, 16:24, 18:12, 18:16, 21:7, 28:11, 28:22, 29:1, 29:21, 31:5, 31:20, 32:24, 38:15, 42:8, 43:13, 45:22, 46:1, 46:13, 46:17, 47:11, 48:2, 48:6, 49:14, 51:11, 51:19, 53:8, 54:25, 56:2, 57:16, 57:18, 59:15, 60:16, 62:4, 63:7, 64:12, 65:13, 65:17, 66:20, 139:25, 152:14, 170:17, 175:11, 175:13, 176:25, 180:19, 184:7, 185:22, 186:14, 186:18, 187:23 approve [27] - 4:25, 9:13, 10:23, 12:24, 14:5, 15:13, 18:9, 19:22, 21:4, 27:1, 28:19, 31:2, 38:12, 45:19, 46:10, 47:24, 51:6, 55:24, 61:25, 65:10, 135:2, 139:22, 141:4, 141:5, 166:19, 167:1, 186:10 approved [6] - 19:9, 41:13, 147:22, 178:19, 179:7, 180:2 approving [1] - 160:12 April [4] - 4:23, 4:25, 67:19, 172:3 architect [2] - 85:16, 162:5 area [36] - 10:19, 37:24, 39:9, 41:15, 54:16, 55:12, 58:12, 58:14, 59:6, 69:20, 70:13, 81:25, 87:3, 88:23, 90:11, 90:13, 90:15, 91:14, 94:7, 94:8, 95:15, 99:15, 100:11, 100:17, 102:4, 112:17, 114:23, 120:21, 124:25, 128:4, 128:13, 133:15, 2021-374</p>
---	--	--	--	---

<p>148:4, 157:16, 170:8, 170:9 areas [3] - 86:9, 95:22, 114:21 arises [2] - 63:21, 68:3 Arlington [10] - 8:10, 47:3, 53:24, 54:4, 54:17, 54:18, 55:13, 57:8, 57:23, 58:15 arm [1] - 58:14 arranged [1] - 141:24 arrangement [1] - 26:4 articles [1] - 92:23 articulated [1] - 169:17 ascertain [1] - 108:5 aside [1] - 159:15 asleep [1] - 165:3 aspect [1] - 110:1 aspects [1] - 110:23 assessed [1] - 83:7 assist [2] - 93:19, 173:6 assumed [3] - 92:20, 107:6, 165:4 athletic [1] - 174:6 Atlantic [2] - 5:18, 47:3 attached [5] - 48:23, 49:4, 54:20, 54:22, 190:13 attempt [1] - 105:19 attend [1] - 102:11 attorney [2] - 108:23, 136:15 attorneys [2] - 105:15, 158:17 Atwill [1] - 11:4 ATWILL [5] - 11:8, 11:11, 11:16, 11:18, 13:12 audible [1] - 2:7 audience [1] - 75:17 Audience [28] - 11:1, 14:7, 17:1, 19:24, 32:16, 33:1, 34:9, 43:15, 49:17, 64:15, 72:24, 76:1, 84:9, 87:9, 89:13, 90:23, 94:19, 97:11, 100:24, 104:5, 109:7, 113:2, 115:9, 116:18, 119:24, 123:18, 126:23, 130:14 AUDIENCE [68] - 6:7, 9:8, 11:4, 12:19, 14:10, 15:8, 17:4, 18:4, 20:2, 20:24,</p>	<p>30:22, 33:4, 34:12, 34:14, 34:18, 38:7, 43:17, 45:8, 45:14, 47:19, 49:19, 51:1, 55:19, 61:20, 64:18, 65:5, 72:16, 73:2, 76:3, 84:12, 87:10, 89:14, 89:17, 90:24, 94:20, 97:12, 100:25, 103:17, 103:20, 104:6, 104:11, 104:16, 109:4, 109:10, 113:5, 115:10, 116:15, 116:19, 119:25, 120:3, 123:8, 123:10, 123:13, 123:16, 123:21, 127:1, 129:21, 129:24, 130:4, 130:7, 130:10, 130:17, 132:6, 132:8, 134:22, 139:17 audit [3] - 83:21, 83:23, 135:17 audits [1] - 83:22 Augustine [1] - 43:18 Auschwitz [1] - 103:10 authority [1] - 179:5 authorized [1] - 193:8 automatic [1] - 148:19 automobiles [1] - 27:18 available [1] - 61:16 Avenue [3] - 5:23, 13:18, 36:15 average [2] - 24:4, 162:23 avoid [1] - 52:12 Avondale [1] - 96:3 aware [5] - 26:6, 50:18, 62:24, 175:7, 184:10 awful [2] - 153:17, 161:17 Aye [10] - 5:10, 9:22, 13:8, 15:22, 29:3, 42:10, 46:3, 46:19, 48:8, 53:11, 63:9, 65:19, 177:13, 178:7, 184:2, 186:1, 186:20, 187:25, 188:21 aye [5] - 18:18, 28:13, 31:22, 59:17, 176:20</p>	<p><b>B</b> back-to-back [1] - 121:1 backed [1] - 151:25 backs [1] - 36:16 backwards [1] - 145:4 backyard [1] - 112:10 bad [4] - 129:14, 145:2, 149:17, 166:23 Bailey [4] - 6:18, 46:24, 47:2, 47:14 Bakkar [4] - 84:8, 84:12, 87:6, 138:17 BAKKAR [3] - 84:18, 84:23, 84:25 Ball [1] - 1:7 Bamboo [3] - 78:7, 166:9, 166:13 bandit [2] - 182:14, 182:16 bank [1] - 59:7 banks [1] - 60:3 bar [35] - 68:24, 69:6, 69:20, 71:7, 74:9, 74:16, 82:15, 88:21, 105:7, 105:18, 111:13, 111:15, 111:20, 111:24, 112:4, 112:10, 115:25, 117:22, 118:16, 122:23, 125:6, 125:15, 125:16, 125:19, 126:6, 126:8, 126:11, 126:16, 128:19, 133:1, 135:14, 156:1, 162:22, 170:8 bar's [1] - 111:7 bar/restaurant [1] - 120:20 Barbara [2] - 113:1, 113:5 barber [1] - 24:1 Barley [3] - 122:25, 125:11, 125:13 barstools [1] - 82:15 Bartram [1] - 44:17 based [2] - 36:8, 37:2 baseline [1] - 26:23 basis [1] - 126:12 basket [1] - 3:5 basketball [10] - 70:23, 71:24, 82:8, 112:6, 121:17, 121:20, 155:23, 156:6, 157:18, 157:19, 168:6,</p>	<p>169:14, 173:19, 173:24, 174:1, 174:6 Bay [8] - 6:17, 17:5, 30:1, 42:19, 55:7 Baymeadows [2] - 5:21, 151:2 beach [1] - 88:17 Beach [7] - 6:14, 19:4, 19:5, 64:19, 78:14, 84:13, 118:15 Bear [1] - 113:6 bear [1] - 167:2 beautiful [2] - 74:17, 77:22 become [5] - 3:13, 110:1, 110:22, 164:15, 166:4 becoming [2] - 163:11, 163:14 beeps [1] - 161:14 beer [10] - 19:6, 19:17, 20:19, 24:3, 24:7, 24:18, 25:11, 27:4, 138:12, 147:15, 147:16, 152:5, 154:3, 160:1, 160:5, 167:2, 167:5, 190:24 beers [1] - 23:19 beg [1] - 112:21 begudgingly [1] - 124:17 behalf [7] - 44:6, 67:23, 67:24, 69:3, 76:24, 101:21, 174:12 behind [8] - 38:21, 41:23, 81:2, 90:9, 120:25, 126:8, 126:16, 191:24 Belfort [2] - 6:23, 61:1 belief [1] - 160:4 bend [1] - 145:3 benefit [1] - 90:15 benefits [1] - 191:15 Bernice [2] - 120:3, 122:4 best [8] - 28:2, 75:1, 83:6, 127:17, 144:15, 156:12, 185:13, 191:14 Best [1] - 29:17 Bet [1] - 29:17 Beth [3] - 62:9, 62:19, 130:17 better [8] - 50:6, 74:7, 80:19, 99:20, 129:11, 139:10, 167:10, 187:6, 192:15 between [7] - 35:20,</p>	<p>70:7, 70:13, 93:8, 107:14, 133:13, 174:9 beverages [1] - 7:8 Beyer [1] - 130:17 BEYER [3] - 130:23, 131:3, 131:5 beyond [10] - 78:22, 80:16, 88:11, 89:3, 92:12, 146:8, 151:15, 157:14, 160:8, 185:3 bicycle [2] - 27:2, 128:12 big [5] - 59:7, 88:16, 94:2, 112:8, 144:25 bigger [2] - 41:12, 41:22 biggest [1] - 81:12 bike [1] - 95:25 bike-friendliness [1] - 95:25 Bingo [1] - 78:20 bit [12] - 6:25, 22:7, 25:21, 75:14, 92:7, 146:4, 152:6, 164:9, 167:14, 179:13, 179:18, 182:25 bizarre [1] - 103:4 Blair [3] - 17:4, 29:25, 55:6 Blanchard [23] - 2:16, 23:12, 25:24, 27:17, 38:17, 39:20, 65:25, 146:22, 152:17, 153:9, 153:25, 159:22, 162:19, 169:24, 170:10, 170:21, 174:13, 178:11, 179:9, 179:12, 179:24, 181:5, 187:9 BLANCHARD [21] - 1:14, 23:13, 23:23, 24:8, 25:5, 38:18, 39:10, 66:2, 146:23, 169:25, 170:12, 170:22, 171:7, 171:17, 172:7, 172:10, 172:17, 172:23, 174:15, 178:8, 178:12 Blanchard's [1] - 180:8 Blanding [4] - 6:13, 7:1, 7:5, 7:6 bleeding [1] - 128:23 blessed [1] - 73:25 blighted [2] - 77:21, 188:16 2021-374</p>
---	--	--	---	---

<p>blind [3] - 122:6, 122:10, 122:16 block [4] - 121:15, 121:22, 122:2, 125:5 blockade [2] - 182:11, 183:10 blocked [3] - 108:5, 108:9, 133:9 blocking [3] - 106:18, 133:17, 162:16 Blue [3] - 78:6, 166:9, 166:13 blue [5] - 3:4, 130:3, 130:9, 132:1, 132:5 Bluff [3] - 149:20, 149:22, 151:21 board [3] - 124:10, 125:8, 144:13 boards [1] - 98:15 boat [2] - 32:13, 34:1 Body [1] - 47:2 body [1] - 12:5 boil [1] - 159:23 bold [2] - 58:11, 58:16 Bone [1] - 78:9 born [1] - 73:24 bothered [1] - 118:25 bottom [3] - 93:7, 129:3, 152:8 bought [1] - 24:21 boulevard [1] - 79:2 Boulevard [23] - 5:18, 6:12, 6:13, 6:14, 6:22, 7:2, 7:5, 7:7, 10:20, 19:4, 47:4, 49:20, 53:24, 57:6, 57:11, 66:7, 67:13, 77:22, 77:24, 78:14, 98:22, 118:15, 145:17 boy [1] - 102:2 Boylan [1] - 161:16 boys [1] - 98:7 Braemar [1] - 116:20 Branch [1] - 147:1 brand [1] - 40:5 brand-new [1] - 40:5 brave [1] - 59:7 Brazeale [1] - 6:4 break [1] - 119:17 Breeding [1] - 62:10 brick [1] - 36:7 Brief [2] - 119:19, 187:11 brief [3] - 2:11, 27:14, 31:10 briefly [1] - 51:22 bring [23] - 9:10, 12:21, 15:10, 18:6, 21:1, 30:24, 38:9, 42:2, 45:16, 47:21, 51:3, 55:21, 61:22, 65:7, 90:15, 90:16, 96:25, 106:22, 127:19, 134:24, 139:19, 156:24, 162:8 brings [1] - 153:9 Bronowitz [1] - 109:3 brothers [3] - 77:5, 100:6, 100:7 brought [3] - 50:15, 74:8, 74:16, 144:10, 166:2, 168:19 Broward [1] - 5:24 BROWN [17] - 1:14, 26:2, 26:15, 40:15, 40:22, 41:9, 51:22, 52:18, 53:2, 58:6, 159:1, 162:1, 162:7, 164:7, 177:24, 182:6, 192:3 Brown [19] - 2:17, 26:1, 40:14, 42:4, 51:21, 53:4, 58:5, 58:25, 59:4, 158:25, 159:5, 161:25, 167:21, 168:11, 182:5, 183:2, 183:6, 185:4, 192:2 Bruce [7] - 37:6, 43:14, 49:16, 55:3, 60:20, 64:14, 188:12 BRUCE [1] - 1:19 Bruker [2] - 20:2, 27:3 BRUKER [13] - 20:8, 20:13, 20:16, 21:17, 21:20, 22:3, 22:11, 23:9, 23:22, 23:25, 27:6, 28:5, 28:17 buffered [1] - 165:23 buffering [2] - 70:15, 171:24 build [4] - 38:24, 39:4, 47:8, 100:11 building [22] - 14:25, 21:24, 31:11, 37:23, 38:24, 43:5, 48:21, 49:4, 49:6, 57:5, 57:10, 60:12, 61:8, 63:23, 78:24, 81:21, 85:20, 85:24, 106:17, 157:7, 157:9, 162:15 Building [1] - 1:7 buildings [4] - 54:21, 57:1, 57:7, 57:12 built [4] - 36:9, 61:2, 106:16, 108:9 burden [1] - 93:21 Burger [1] - 61:12 bushes [2] - 107:12, 107:15 busiest [2] - 148:13, 164:24 Business [2] - 91:17, 92:21 business [30] - 8:24, 9:1, 25:16, 25:19, 70:4, 77:16, 83:12, 83:16, 88:16, 90:7, 91:20, 92:3, 93:4, 94:2, 94:3, 94:5, 94:6, 105:13, 112:16, 119:11, 151:11, 151:12, 153:5, 153:14, 154:3, 187:4, 187:13, 189:1, 189:4 business's [1] - 93:7 businesses [14] - 62:22, 78:2, 78:6, 83:14, 85:4, 86:11, 91:24, 93:13, 93:15, 93:19, 119:4, 119:6, 161:2, 184:25 businessman [1] - 73:21 busy [3] - 112:9, 145:17, 148:16 bylaws [2] - 2:23, 23:3  <b>C</b>  Callente [1] - 58:13 cameras [1] - 96:11 cancel [1] - 71:23 candidates [1] - 167:11 cannabis [2] - 85:5, 119:7 Canning [3] - 162:4, 164:2 cannot [3] - 54:12, 98:19, 137:1 capacity [3] - 99:1, 172:14, 176:7 capitalist [1] - 100:10 Car [1] - 19:10 car [3] - 20:16, 20:20, 21:21, 23:19, 23:20, 26:4, 125:21, 163:7 card [3] - 3:4, 103:18, 130:3, 130:9, 132:1, 132:5 cards [3] - 3:5, 130:1, 130:12 care [14] - 13:19, 45:6, 82:13, 83:3, 145:1, 153:2, 159:17, 159:18, 159:19, 160:10, 165:12, 184:24, 185:11 cares [4] - 86:3, 146:10, 161:5 Carrabba's [1] - 78:7 carry [4] - 74:17, 83:1, 192:9, 192:10 cars [7] - 50:7, 52:13, 78:15, 82:25, 121:21, 125:18, 125:19 case [7] - 69:8, 92:20, 100:1, 106:6, 119:8, 120:18, 144:3 Casey [5] - 33:4, 34:3, 37:11, 37:13, 38:3 CASEY [3] - 33:10, 33:15, 33:18, 34:6, 37:15, 42:15 casting [1] - 126:14 catalyst [3] - 54:16, 55:12, 56:12 catch [1] - 28:1 category [2] - 54:10, 64:5 Catfield [1] - 14:11 caught [1] - 143:2 causes [1] - 98:9 cautiously [1] - 166:20 CCG [1] - 139:4 CCG-1 [10] - 16:17, 25:3, 26:9, 29:15, 47:5, 53:22, 137:24, 138:2, 154:15, 154:16 CCG-2 [5] - 7:10, 47:5, 53:22, 190:4, 190:7 cell [1] - 99:20 center [18] - 7:15, 13:19, 13:23, 16:22, 19:14, 19:16, 21:25, 24:11, 24:16, 24:23, 25:2, 25:10, 53:23, 56:9, 60:25, 61:13, 102:19, 191:5 Center [5] - 43:5, 44:11, 44:16, 74:10, 77:11 centers [2] - 86:12, 190:25 centric [1] - 153:6 certain [4] - 54:4, 112:3, 141:13, 174:19 certainly [5] - 131:19, 136:12, 143:15, 152:9, 172:25 Certificate [1] - 137:11  CERTIFICATE [1] - 193:1 certify [1] - 193:8 cetera [1] - 171:24 CGC [2] - 54:10, 64:4 Chabad [13] - 79:1, 82:1, 82:3, 82:21, 111:8, 131:6, 131:9, 131:12, 131:16, 131:19, 140:22, 141:20, 142:8 Chai [2] - 119:22, 120:3 Chalm [3] - 77:5, 102:8, 144:6 Chain [1] - 74:9 chain [1] - 100:18 chair [3] - 14:24, 74:12, 177:3 Chair [15] - 21:12, 24:9, 26:3, 26:25, 38:23, 40:15, 40:22, 51:9, 58:7, 62:23, 162:2, 170:24, 174:16, 174:24, 192:3 Chairman [50] - 1:13, 4:24, 7:3, 7:25, 8:21, 9:12, 10:1, 10:7, 11:19, 12:23, 13:16, 15:12, 18:8, 19:2, 21:3, 21:11, 23:14, 25:22, 28:18, 29:9, 31:1, 38:11, 38:19, 39:18, 39:24, 42:20, 45:18, 46:25, 47:23, 51:5, 55:23, 56:6, 61:24, 62:17, 65:9, 67:7, 67:12, 72:11, 135:1, 135:3, 135:9, 139:21, 140:4, 146:23, 149:4, 152:15, 152:21, 155:16, 167:24, 169:8, 169:25, 170:23, 174:15, 175:12, 178:9, 178:13, 181:19, 184:17, 187:15, 189:5 chairman [3] - 31:9, 48:9, 66:8 CHAIRMAN [355] - 2:3, 2:13, 5:2, 5:7, 5:11, 5:13, 6:8, 7:22, 7:24, 8:3, 8:5, 8:7, 8:12, 8:20, 9:4, 9:9, 9:15, 9:19, 9:23, 9:25, 10:3, 10:24, 11:2, 11:6, 12:10, 12:14, 2021-374 ON FILE</p>	<p>42:2, 45:16, 47:21, 51:3, 55:21, 61:22, 65:7, 90:15, 90:16, 96:25, 106:22, 127:19, 134:24, 139:19, 156:24, 162:8 brings [1] - 153:9 Bronowitz [1] - 109:3 brothers [3] - 77:5, 100:6, 100:7 brought [3] - 50:15, 74:8, 74:16, 144:10, 166:2, 168:19 Broward [1] - 5:24 BROWN [17] - 1:14, 26:2, 26:15, 40:15, 40:22, 41:9, 51:22, 52:18, 53:2, 58:6, 159:1, 162:1, 162:7, 164:7, 177:24, 182:6, 192:3 Brown [19] - 2:17, 26:1, 40:14, 42:4, 51:21, 53:4, 58:5, 58:25, 59:4, 158:25, 159:5, 161:25, 167:21, 168:11, 182:5, 183:2, 183:6, 185:4, 192:2 Bruce [7] - 37:6, 43:14, 49:16, 55:3, 60:20, 64:14, 188:12 BRUCE [1] - 1:19 Bruker [2] - 20:2, 27:3 BRUKER [13] - 20:8, 20:13, 20:16, 21:17, 21:20, 22:3, 22:11, 23:9, 23:22, 23:25, 27:6, 28:5, 28:17 buffered [1] - 165:23 buffering [2] - 70:15, 171:24 build [4] - 38:24, 39:4, 47:8, 100:11 building [22] - 14:25, 21:24, 31:11, 37:23, 38:24, 43:5, 48:21, 49:4, 49:6, 57:5, 57:10, 60:12, 61:8, 63:23, 78:24, 81:21, 85:20, 85:24, 106:17, 157:7, 157:9, 162:15 Building [1] - 1:7 buildings [4] - 54:21, 57:1, 57:7, 57:12 built [4] - 36:9, 61:2, 106:16, 108:9 burden [1] - 93:21 Burger [1] - 61:12 bushes [2] - 107:12, 107:15 busiest [2] - 148:13, 164:24 Business [2] - 91:17, 92:21 business [30] - 8:24, 9:1, 25:16, 25:19, 70:4, 77:16, 83:12, 83:16, 88:16, 90:7, 91:20, 92:3, 93:4, 94:2, 94:3, 94:5, 94:6, 105:13, 112:16, 119:11, 151:11, 151:12, 153:5, 153:14, 154:3, 187:4, 187:13, 189:1, 189:4 business's [1] - 93:7 businesses [14] - 62:22, 78:2, 78:6, 83:14, 85:4, 86:11, 91:24, 93:13, 93:15, 93:19, 119:4, 119:6, 161:2, 184:25 businessman [1] - 73:21 busy [3] - 112:9, 145:17, 148:16 bylaws [2] - 2:23, 23:3  <b>C</b>  Callente [1] - 58:13 cameras [1] - 96:11 cancel [1] - 71:23 candidates [1] - 167:11 cannabis [2] - 85:5, 119:7 Canning [3] - 162:4, 164:2 cannot [3] - 54:12, 98:19, 137:1 capacity [3] - 99:1, 172:14, 176:7 capitalist [1] - 100:10 Car [1] - 19:10 car [3] - 20:16, 20:20, 21:21, 23:19, 23:20, 26:4, 125:21, 163:7 card [3] - 3:4, 103:18, 130:3, 130:9, 132:1, 132:5 cards [3] - 3:5, 130:1, 130:12 care [14] - 13:19, 45:6, 82:13, 83:3, 145:1, 153:2, 159:17, 159:18, 159:19, 160:10, 165:12, 184:24, 185:11 cares [4] - 86:3, 146:10, 161:5 Carrabba's [1] - 78:7 carry [4] - 74:17, 83:1, 192:9, 192:10 cars [7] - 50:7, 52:13, 78:15, 82:25, 121:21, 125:18, 125:19 case [7] - 69:8, 92:20, 100:1, 106:6, 119:8, 120:18, 144:3 Casey [5] - 33:4, 34:3, 37:11, 37:13, 38:3 CASEY [3] - 33:10, 33:15, 33:18, 34:6, 37:15, 42:15 casting [1] - 126:14 catalyst [3] - 54:16, 55:12, 56:12 catch [1] - 28:1 category [2] - 54:10, 64:5 Catfield [1] - 14:11 caught [1] - 143:2 causes [1] - 98:9 cautiously [1] - 166:20 CCG [1] - 139:4 CCG-1 [10] - 16:17, 25:3, 26:9, 29:15, 47:5, 53:22, 137:24, 138:2, 154:15, 154:16 CCG-2 [5] - 7:10, 47:5, 53:22, 190:4, 190:7 cell [1] - 99:20 center [18] - 7:15, 13:19, 13:23, 16:22, 19:14, 19:16, 21:25, 24:11, 24:16, 24:23, 25:2, 25:10, 53:23, 56:9, 60:25, 61:13, 102:19, 191:5 Center [5] - 43:5, 44:11, 44:16, 74:10, 77:11 centers [2] - 86:12, 190:25 centric [1] - 153:6 certain [4] - 54:4, 112:3, 141:13, 174:19 certainly [5] - 131:19, 136:12, 143:15, 152:9, 172:25 Certificate [1] - 137:11  CERTIFICATE [1] - 193:1 certify [1] - 193:8 cetera [1] - 171:24 CGC [2] - 54:10, 64:4 Chabad [13] - 79:1, 82:1, 82:3, 82:21, 111:8, 131:6, 131:9, 131:12, 131:16, 131:19, 140:22, 141:20, 142:8 Chai [2] - 119:22, 120:3 Chalm [3] - 77:5, 102:8, 144:6 Chain [1] - 74:9 chain [1] - 100:18 chair [3] - 14:24, 74:12, 177:3 Chair [15] - 21:12, 24:9, 26:3, 26:25, 38:23, 40:15, 40:22, 51:9, 58:7, 62:23, 162:2, 170:24, 174:16, 174:24, 192:3 Chairman [50] - 1:13, 4:24, 7:3, 7:25, 8:21, 9:12, 10:1, 10:7, 11:19, 12:23, 13:16, 15:12, 18:8, 19:2, 21:3, 21:11, 23:14, 25:22, 28:18, 29:9, 31:1, 38:11, 38:19, 39:18, 39:24, 42:20, 45:18, 46:25, 47:23, 51:5, 55:23, 56:6, 61:24, 62:17, 65:9, 67:7, 67:12, 72:11, 135:1, 135:3, 135:9, 139:21, 140:4, 146:23, 149:4, 152:15, 152:21, 155:16, 167:24, 169:8, 169:25, 170:23, 174:15, 175:12, 178:9, 178:13, 181:19, 184:17, 187:15, 189:5 chairman [3] - 31:9, 48:9, 66:8 CHAIRMAN [355] - 2:3, 2:13, 5:2, 5:7, 5:11, 5:13, 6:8, 7:22, 7:24, 8:3, 8:5, 8:7, 8:12, 8:20, 9:4, 9:9, 9:15, 9:19, 9:23, 9:25, 10:3, 10:24, 11:2, 11:6, 12:10, 12:14, 2021-374 ON FILE</p>
---	---



<p>12:16, 12:20, 13:1, 13:5, 13:9, 13:11, 13:13, 14:6, 14:8, 14:12, 14:23, 15:5, 15:9, 15:15, 15:19, 15:23, 15:25, 16:2, 16:25, 17:2, 17:7, 17:24, 18:2, 18:5, 18:11, 18:15, 18:19, 18:21, 18:25, 19:23, 19:25, 20:4, 20:15, 20:21, 20:25, 21:6, 23:10, 25:23, 27:3, 27:8, 28:6, 28:10, 28:14, 28:16, 28:21, 28:25, 29:4, 29:6, 29:22, 29:24, 30:3, 30:18, 30:20, 30:23, 31:4, 31:15, 31:19, 31:23, 31:25, 32:2, 32:17, 32:25, 33:2, 33:6, 33:17, 34:3, 34:7, 34:10, 34:13, 34:16, 34:22, 35:8, 35:13, 35:22, 35:25, 37:5, 37:10, 37:14, 38:3, 38:8, 38:14, 39:19, 40:11, 41:5, 42:3, 42:7, 42:11, 42:13, 42:16, 43:14, 43:16, 43:20, 44:21, 45:3, 45:6, 45:10, 45:15, 45:21, 45:25, 46:4, 46:6, 46:8, 46:12, 46:16, 46:20, 46:22, 47:12, 47:16, 47:20, 48:1, 48:5, 48:9, 48:11, 49:16, 49:18, 50:22, 51:2, 51:8, 51:16, 53:3, 53:7, 53:12, 53:14, 53:17, 55:3, 55:5, 55:8, 55:16, 55:20, 56:1, 58:2, 58:24, 59:3, 59:14, 59:18, 59:21, 60:20, 60:22, 61:17, 61:21, 62:3, 62:8, 63:2, 63:6, 63:10, 63:12, 64:14, 64:16, 64:20, 65:1, 65:6, 65:12, 65:16, 65:20, 65:23, 66:4, 66:22, 67:3, 67:6, 67:11, 67:15, 67:17, 72:14, 72:19, 72:22, 72:25, 73:5, 75:12, 75:24, 76:2, 76:6, 76:10, 79:16, 79:23, 80:1, 80:14, 84:5, 84:10, 84:14, 87:5, 87:12, 87:15, 87:17,</p>	<p>87:20, 89:9, 89:15, 89:19, 90:19, 91:2, 92:7, 94:16, 94:22, 96:23, 97:3, 97:5, 97:14, 100:21, 101:3, 103:13, 103:18, 103:21, 104:8, 104:12, 104:18, 107:18, 107:21, 108:14, 108:22, 109:5, 109:8, 109:12, 110:4, 110:10, 112:24, 113:3, 113:7, 113:10, 113:21, 113:23, 115:1, 115:7, 115:13, 116:12, 116:16, 116:21, 119:12, 119:15, 119:20, 120:1, 120:5, 123:5, 123:9, 123:11, 123:14, 123:17, 123:19, 123:23, 126:21, 126:24, 127:4, 129:16, 129:22, 129:25, 130:5, 130:8, 130:11, 130:15, 130:19, 131:23, 132:7, 132:10, 134:19, 134:23, 135:5, 135:7, 135:10, 139:14, 139:18, 139:24, 146:19, 152:16, 155:12, 158:11, 159:4, 161:23, 167:20, 169:1, 169:20, 170:10, 170:15, 172:14, 173:10, 175:9, 175:15, 175:18, 175:22, 175:24, 176:2, 176:11, 176:17, 176:21, 176:23, 177:7, 177:14, 177:16, 177:22, 177:25, 178:10, 179:8, 179:25, 181:1, 181:12, 181:24, 182:1, 183:2, 183:14, 183:18, 183:23, 184:3, 184:5, 184:11, 184:15, 185:17, 185:21, 186:2, 186:4, 186:7, 186:13, 186:17, 186:21, 186:23,</p>	<p>187:2, 187:12, 187:18, 187:22, 188:1, 188:3, 188:7, 188:11, 188:15, 188:18, 188:22, 188:24, 189:4, 190:1, 191:6, 191:9, 192:13, 192:18 chairs [1] - 68:22 Chambers [4] - 4:11, 191:10, 191:23, 192:5 champagne [2] - 24:3, 26:8 chance [2] - 58:21, 75:7 change [5] - 14:3, 35:10, 69:12, 122:21, 189:23 changed [3] - 86:4, 106:8, 132:24 changes [9] - 34:15, 50:10, 68:10, 70:16, 98:23, 133:7, 134:4, 158:10, 190:22 changing [2] - 133:3, 133:20 character [5] - 73:19, 74:19, 101:23, 133:4, 133:21 characterization [1] - 136:13 charity [2] - 71:24, 82:8 Charles [1] - 8:10 check [2] - 22:22, 87:12 Chick [3] - 149:11, 149:18, 149:20, 151:19, 151:20, 152:6, 161:14, 163:7 Chick-fil-A [3] - 149:11, 149:18, 149:20, 151:19, 151:20, 152:6, 161:14, 163:7 Chief [2] - 1:18, 1:19 child [4] - 13:19, 74:12, 74:14, 74:18 child's [1] - 112:11 childhood [1] - 101:22 children [1] - 116:3 Chill's [1] - 78:9 chime [1] - 189:8 choices [1] - 78:24 choose [1] - 100:1 Chris [1] - 189:15 Christians [1] - 150:20 Church [2] - 19:15,</p>	<p>24:20 church [7] - 21:16, 21:19, 21:20, 21:24, 24:10, 112:10, 141:1 churches [1] - 144:3 circle [1] - 163:23 Circle [4] - 5:21, 20:3, 73:3, 90:10 circulation [3] - 137:6, 153:23 circumstances [1] - 124:21 circumvent [1] - 150:16 Citicorp [2] - 43:4, 44:7 citizens [1] - 192:14 City [20] - 4:1, 4:11, 43:7, 47:7, 71:18, 71:20, 108:19, 110:13, 122:7, 150:13, 156:11, 166:7, 178:19, 179:2, 179:6, 179:7, 179:16, 180:2, 191:17, 191:21 CITY [1] - 1:1 city [2] - 82:19, 148:14 City's [1] - 2:20 civility [1] - 192:4 clarification [2] - 171:2, 173:2 clarified [1] - 51:16 clarify [5] - 44:12, 51:11, 174:14, 176:15, 181:20 clarifying [1] - 106:11 clarity [1] - 35:9 clear [3] - 27:19, 96:13, 106:14, 107:1, 160:16, 187:8 clearly [2] - 3:10, 37:21 Clearview [1] - 6:3 client [2] - 156:23, 169:17 clients [1] - 90:10 Clinic [1] - 77:7 clinic [1] - 49:23 clogging [1] - 52:14 close [2] - 9:9, 12:20, 15:9, 16:5, 18:5, 20:25, 30:23, 38:8, 45:16, 47:20, 51:2, 55:20, 61:22, 65:6, 106:4, 114:20, 134:24, 136:23, 137:5, 137:9, 139:12, 139:18, 144:19, 149:8,</p>	<p>153:11, 157:7, 163:19, 163:21, 192:6 closed [4] - 150:5, 162:10, 165:4, 166:12 closer [2] - 57:12, 87:18 closing [5] - 137:2, 137:22, 138:15, 157:3, 165:24 cloths [1] - 68:22 co [1] - 78:19 CO [1] - 64:2 co-ed [1] - 78:19 Code [3] - 88:15, 86:19, 86:25 code [4] - 56:18, 58:23, 57:9, 57:10 Collins [2] - 5:20, 188:5 combination [1] - 36:7 comfortable [2] - 146:6, 164:15 coming [12] - 15:3, 16:20, 26:16, 27:23, 58:19, 62:11, 141:12, 148:25, 151:24, 179:24, 182:19 commencing [1] - 1:7 commend [2] - 59:8, 146:16 commensurate [2] - 86:9, 86:23 comment [5] - 75:16, 103:1, 135:21, 137:12, 150:6, 180:1 commented [1] - 101:25 commenting [1] - 92:22 comments [3] - 25:22, 39:18, 68:10, 70:17, 70:18, 139:1, 146:17, 152:15, 178:8 Commercial [1] - 63:18 commercial [12] - 7:15, 19:16, 19:19, 29:19, 54:2, 60:10, 86:10, 86:22, 91:25, 139:5, 145:18, 145:21 COMMISSION [74] - 1:2, 5:6, 5:10, 5:12, 9:18, 9:22, 9:24, 13:4, 13:8, 13:10, 15:18, 15:22, 15:24, 2021-374</p>
---	---	--	--	---

<p>18:14, 18:18, 18:20,          28:9, 28:13, 28:15,          28:24, 29:3, 29:5,          31:18, 31:22, 31:24,          42:6, 42:10, 42:12,          45:24, 46:3, 46:5,          46:15, 46:19, 46:21,          48:4, 48:8, 48:10,          53:6, 53:11, 53:13,          59:2, 59:13, 59:17,          59:19, 62:7, 63:5,          63:9, 63:11, 65:15,          65:19, 65:21,          176:20, 176:22,          177:13, 177:15,          178:7, 183:17,          184:2, 184:4,          185:20, 186:1,          186:3, 186:16,          186:20, 186:22,          187:21, 187:25,          188:2, 188:10,          188:17, 188:21,          188:23, 191:8,          192:17  <b>commission [7] -</b>          2:25, 3:15, 3:23,          26:18, 80:15, 85:2,          158:16  <b>Commission [8] -</b>          1:14, 1:14, 1:15,          1:15, 2:5, 3:22, 4:5,          4:7, 4:22, 5:5, 8:1,          9:11, 9:17, 10:16,          12:22, 13:3, 13:23,          15:11, 15:17, 18:7,          18:13, 19:8, 21:2,          21:8, 25:25, 27:11,          28:8, 28:23, 30:25,          31:6, 38:10, 38:16,          39:21, 40:13, 42:5,          45:17, 45:23, 46:14,          47:22, 48:3, 51:4,          51:20, 53:5, 55:22,          56:3, 58:4, 59:1,          59:12, 61:23, 62:6,          62:14, 63:4, 65:8,          65:14, 66:13, 73:17,          76:22, 79:21, 84:2,          95:10, 134:25,          139:20, 140:2,          146:21, 152:18,          155:14, 161:24,          167:22, 168:4,          168:25, 181:16,          182:4, 183:16,          185:19, 186:15,          187:20, 188:9,          188:16, 189:17,          190:14, 191:22  <b>commission's [1] -</b></p>	<p>2:23  <b>COMMISSIONER [120]</b>          - 4:24, 5:1, 9:12,          9:14, 12:23, 12:25,          15:12, 15:14, 18:8,          18:10, 21:3, 21:5,          21:10, 21:18, 22:6,          22:15, 23:7, 23:13,          23:23, 24:8, 25:5,          26:2, 26:15, 27:13,          28:18, 28:20, 31:1,          31:3, 31:8, 38:11,          38:13, 38:18, 39:10,          39:23, 40:15, 40:22,          41:9, 45:18, 45:20,          46:9, 46:11, 47:23,          47:25, 51:5, 51:7,          51:14, 51:22, 52:18,          53:2, 55:23, 55:25,          56:5, 57:15, 57:21,          58:6, 61:24, 62:2,          62:16, 63:1, 65:9,          65:11, 66:2, 135:1,          139:21, 139:23,          140:4, 140:11,          140:19, 141:17,          141:19, 143:15,          144:2, 145:7,          146:23, 152:20,          155:16, 156:18,          157:2, 157:12,          158:2, 158:4, 158:6,          159:1, 162:1, 162:7,          164:7, 167:24,          169:25, 170:12,          170:14, 170:22,          171:7, 171:17,          172:7, 172:10,          172:17, 172:23,          174:15, 176:10,          177:3, 177:6,          177:19, 177:24,          178:8, 178:12,          179:11, 181:8,          181:11, 181:18,          181:25, 182:6,          183:4, 184:16,          186:10, 186:12,          187:15, 187:17,          188:4, 188:6, 192:3  <b>Commissioner [78] -</b>          21:9, 23:10, 23:12,          23:16, 25:23, 26:1,          27:12, 27:16, 28:6,          31:7, 31:15, 38:17,          39:19, 39:22, 40:11,          40:14, 42:3, 51:21,          53:3, 56:4, 58:2,          58:5, 58:24, 59:3,          62:15, 62:24, 63:3,          65:25, 106:14,</p>	<p>140:3, 140:13,          146:19, 146:22,          152:16, 152:19,          153:9, 153:24,          155:12, 155:15,          158:11, 158:25,          159:4, 159:6,          159:22, 161:25,          162:18, 167:20,          167:23, 168:11,          168:19, 169:1,          169:20, 170:3,          170:10, 170:21,          174:13, 177:2,          177:18, 178:11,          179:9, 179:10,          179:11, 179:24,          181:4, 181:7,          181:12, 182:2,          182:5, 183:2, 183:3,          183:6, 183:14,          184:15, 185:4,          185:17, 186:8,          187:9, 187:14, 192:2  <b>commissioner [3] -</b>          169:24, 176:9,          181:17  <b>Commissioners [2] -</b>          2:14, 2:16  <b>commissioners [8] -</b>          14:24, 33:18,          101:14, 109:24,          155:2, 155:10,          158:18, 169:21,          180:25  <b>committed [1] - 72:3</b>  <b>committee [2] - 10:2,</b>          11:19  <b>Committee [4] - 4:2,</b>          4:8, 134:17, 189:14  <b>common [3] - 27:20,</b>          83:13, 170:5  <b>communicated [1] -</b>          68:16  <b>communication [5] -</b>          62:9, 62:18, 141:12,          158:24, 159:2  <b>communications [2] -</b>          67:21, 69:23  <b>communities [1] -</b>          44:11  <b>community [73] -</b>          38:2, 39:12, 44:9,          58:20, 68:12, 69:3,          70:19, 71:3, 74:6,          74:7, 74:24, 75:1,          75:6, 76:22, 77:2,          77:19, 79:9, 79:14,          85:9, 86:1, 86:3,          90:8, 92:10, 94:5,</p>	<p>100:9, 105:10,          105:24, 106:10,          108:21, 107:4,          108:11, 110:2,          110:23, 111:14,          114:3, 128:24,          128:25, 129:14,          139:9, 144:1, 145:6,          146:13, 147:5,          147:9, 149:17,          150:16, 150:22,          151:10, 152:11,          153:2, 153:6,          153:15, 159:11,          159:18, 160:9,          160:11, 160:13,          160:18, 163:20,          164:8, 164:10,          165:10, 165:13,          166:21, 167:12,          168:7, 168:10,          174:3, 182:23,          184:23, 190:17  <b>Community [2] - 1:19,</b>          134:16  <b>community's [1] -</b>          106:15  <b>companion [1] - 66:10</b>  <b>compatibility [1] -</b>          153:5  <b>compatible [2] -</b>          60:14, 136:4  <b>compel [1] - 179:4</b>  <b>competition [3] - 94:8,</b>          94:9, 94:12  <b>complaints [2] - 81:8,</b>          82:12  <b>complementary [1] -</b>          166:10  <b>complete [1] - 193:10</b>  <b>completely [2] -</b>          68:14, 71:14  <b>complies [13] - 97:18,</b>          101:7, 104:22,          109:16, 113:14,          115:17, 116:25,          120:9, 124:2, 127:8,          130:23, 132:14,          136:3  <b>Complies [18] - 11:11,</b>          14:16, 17:11, 20:8,          30:7, 33:10, 35:1,          43:24, 73:9, 76:14,          80:7, 84:18, 87:14,          87:24, 89:23, 91:6,          94:25, 95:3  <b>comply [4] - 135:16,</b>          164:3, 172:4, 172:6  <b>component [1] - 172:4</b>  <b>Comprehensive [4] -</b></p>	<p>49:8, 54:9, 64:4,          136:2  <b>compromise [1] -</b>          105:11  <b>concede [1] - 145:4</b>  <b>conceded [1] - 82:7</b>  <b>concept [3] - 23:16,</b>          24:5, 56:7  <b>concepts [1] - 21:13</b>  <b>concern [18] - 36:1,</b>          40:3, 41:10, 81:12,          98:21, 99:7, 102:8,          102:13, 121:10,          122:18, 133:2,          144:11, 150:7,          173:20, 180:8,          190:3, 190:6  <b>concerned [4] - 71:8,</b>          111:14, 116:9,          180:12  <b>concerning [1] -</b>          164:20  <b>concerns [18] - 12:7,</b>          50:18, 71:2, 71:6,          85:15, 85:18, 85:25,          86:4, 86:5, 87:2,          99:4, 100:14, 105:6,          127:19, 151:13,          160:19  <b>concession [1] - 96:8</b>  <b>concessions [9] -</b>          71:4, 133:7, 143:12,          152:9, 169:7,          169:11, 172:20,          173:13, 173:22  <b>condition [31] - 60:17,</b>          61:3, 62:1, 70:22,          71:25, 138:19,          145:24, 151:17,          156:8, 164:1, 164:4,          165:25, 168:6,          169:13, 172:1,          172:16, 173:25,          174:1, 174:2, 174:7,          175:14, 175:19,          175:21, 179:13,          179:18, 179:23,          180:16, 181:22,          182:7, 183:7  <b>conditions [25] -</b>          49:15, 50:14, 51:10,          51:13, 51:15, 51:18,          53:9, 55:1, 62:5,          64:13, 155:18,          156:6, 156:16,          167:25, 169:4,          169:22, 170:2,          171:21, 175:5,          175:6, 176:16,          176:25, 184:10</p>
---	--	--	--	--

<p>184:12, 185:23 confirmed [1] - 107:2 conflicts [2] - 4:20, 125:1 confused [1] - 118:1 congregate [1] - 118:22 congregation [1] - 143:11 congregations [1] - 105:22 congressman [1] - 151:8 conjunction [1] - 7:9 connection [2] - 21:19, 138:8 consider [10] - 100:15, 100:16, 122:20, 154:5, 154:23, 164:11, 167:12, 184:23, 185:8, 191:13 consideration [8] - 101:24, 102:6, 105:14, 129:2, 131:10, 189:15 considerations [1] - 72:5 considered [2] - 60:9, 153:10 considering [5] - 112:13, 112:22, 137:17, 153:5, 154:2 consistent [8] - 10:21, 16:23, 49:8, 54:9, 64:3, 64:5, 136:2, 170:9, 171:14 constituents [1] - 192:14 constraint [3] - 72:8, 72:12, 72:15 construction [2] - 36:4, 37:2 consulted [1] - 50:5 consumer [1] - 94:12 consuming [1] - 185:15 consumption [2] - 19:7, 19:18 contact [1] - 108:10 contacted [1] - 158:15 contain [1] - 48:21 container [1] - 58:17 contemplated [1] - 68:20 contention [1] - 71:1 contingency [1] - 126:1 continuance [1] - 68:15</p>	<p>continue [2] - 35:25, 171:11 continuing [1] - 147:23 contract [2] - 36:11, 44:8 contractors [1] - 63:23 contradict [1] - 136:8 contribute [1] - 133:18 convenient [1] - 137:17 conventional [1] - 6:18 conversation [1] - 190:20 conversations [1] - 69:23 conversion [1] - 43:3 converted [2] - 19:15, 29:13 cool [3] - 56:7, 57:24, 100:5 cooperative [1] - 75:8 cop [1] - 82:17 copy [3] - 3:15, 4:15, 141:10 corner [8] - 58:13, 68:18, 68:20, 138:3, 139:4, 140:7, 165:5, 167:14 corporate [3] - 144:25, 162:22, 185:6 correct [7] - 11:23, 24:14, 35:21, 52:1, 53:1, 172:22, 181:23 correctly [2] - 35:11, 35:16 correspondence [2] - 104:7, 106:11 corridor [4] - 86:10, 86:22, 139:6, 145:17 corridors [1] - 148:13 cost [1] - 124:17 costs [2] - 93:20, 94:13 Council [7] - 4:11, 43:7, 191:10, 191:11, 191:21, 191:23, 192:5 Council's [1] - 4:1 Councilman [1] - 161:16 councilman [2] - 50:17, 151:8 councilperson [1] - 71:21 councilwoman [1] - 55:13</p>	<p>Counsel [4] - 1:20, 2:22, 177:10, 181:15 counseling [1] - 101:16 counterpart [1] - 107:3 countless [1] - 80:18 country [1] - 100:10 Country [2] - 53:23, 56:9 counts [1] - 96:11 County [2] - 1:21, 2:18 COUNTY [1] - 193:4 couple [13] - 23:19, 24:14, 36:19, 44:10, 66:17, 69:2, 81:17, 108:11, 124:9, 124:13, 149:3, 187:3, 189:21 course [6] - 69:14, 70:12, 72:2, 88:4, 92:4, 108:19 Court [5] - 14:11, 35:19, 36:10, 120:4, 122:4 court [10] - 3:9, 16:5, 16:9, 52:11, 57:13, 58:18, 75:18, 101:19, 110:14, 113:25 court-style [1] - 52:11 courtesy [1] - 2:6 Cove [2] - 115:11, 130:18 cover [3] - 42:23, 66:23, 92:5 covering [3] - 68:23, 81:3, 107:15 COVID [4] - 81:13, 88:18, 93:12, 147:21 CPAC [2] - 57:16, 57:20 CRA [2] - 56:11, 56:13 crazy [1] - 162:17 create [1] - 164:3 credit [1] - 89:6 Credit [1] - 61:5 criteria [8] - 8:23, 8:24, 49:2, 50:11, 54:14, 54:15, 64:7, 137:16 cross [1] - 102:16 crosshatching [1] - 140:15 crossing [18] - 72:4, 96:8, 98:22, 98:25, 99:3, 99:9, 102:9, 102:11, 102:15, 111:18, 125:12, 144:11, 150:8,</p>	<p>150:9, 150:15, 164:12 crosswalk [2] - 96:9, 98:24 crunch [1] - 75:23 Crutchfield [3] - 34:8, 34:19, 35:22 CRUTCHFIELD [7] - 35:1, 35:6, 35:9, 35:15, 35:24, 36:1, 41:2 cul [3] - 112:6, 121:16, 121:18 cul-de-sac [3] - 112:6, 121:16, 121:18 Culver's [2] - 16:19, 29:14 curious [1] - 140:23 current [8] - 48:19, 50:16, 63:22, 93:17, 111:22, 111:25, 170:7, 171:22 Current [1] - 1:18 customer [2] - 24:4, 93:6 customers [3] - 20:19, 78:23, 185:15 cut [5] - 117:25, 119:15, 147:3, 147:6, 171:8 cut-through [1] - 147:3 cutting [1] - 171:18 cycling [1] - 163:2 Cyndy [1] - 60:23</p>	<p>117:15, 119:1, 147:4, 170:5 de [3] - 112:6, 121:16, 121:18 Dead [3] - 138:21, 156:13, 180:11 deal [2] - 92:5, 110:16 dealerships [1] - 7:18 dealing [3] - 27:17, 131:17, 138:13 dear [1] - 73:25 death [1] - 128:22 debating [1] - 160:2 Debbie [1] - 73:24 decided [1] - 85:7 decision [1] - 156:24 decisions [2] - 3:21, 3:23 deck [3] - 106:7, 107:10, 107:15 declare [4] - 62:8, 62:18, 158:8, 158:24 decrease [2] - 93:20 decreases [2] - 94:12, 94:13 deed [1] - 39:12 deeply [2] - 159:9, 159:17 deferred [3] - 4:6, 5:16, 23:3 deferring [1] - 6:2 definitely [1] - 192:8 degree [1] - 69:13 deintensified [2] - 69:4, 69:13 deleted [1] - 49:5 delicatessens [1] - 60:1 delivered [2] - 105:16, 117:13 demand [1] - 69:15 Demetree [3] - 87:8, 87:10, 89:10 DEMETREE [8] - 87:14, 87:16, 87:19, 87:24, 88:4, 88:6 demographics [1] - 88:24 demonstrated [1] - 101:22 density [4] - 171:4, 172:5, 172:7 deny [2] - 25:14, 118:3 Department [8] - 2:21, 12:4, 43:12, 60:15, 64:11, 180:20 Dept [2] - 1:19, 1:21 described [1] - 27:18 description [2] - 60:6, 72021-374</p>
--	--	--	--	---

**D**

dad [1] - 129:8  
Daily [1] - 165:11  
danger [1] - 114:14  
dangerous [3] - 122:1, 122:7, 122:19  
DANIEL [1] - 1:14  
dark [1] - 157:22  
darn [1] - 163:21  
data [1] - 136:6  
date [3] - 62:12, 78:13, 177:1  
dated [2] - 4:25, 172:2  
DATED [1] - 193:15  
daughter [2] - 114:16, 128:14  
DAVID [1] - 1:13  
Davis [3] - 44:7, 44:10, 45:2  
daycare [2] - 13:22, 15:2  
daycares [1] - 60:3  
days [5] - 91:18,

<p>deserve [2] - 191:14, 192:15</p> <p>deserves [3] - 75:7, 75:9, 167:8</p> <p>design [1] - 78:24</p> <p>Design [1] - 54:18</p> <p>designed [1] - 131:21</p> <p>designs [1] - 105:17</p> <p>desirous [1] - 173:15</p> <p>detached [1] - 33:21</p> <p>detailed [1] - 105:20</p> <p>determination [1] - 92:18</p> <p>determine [1] - 180:22</p> <p>determined [1] - 136:1</p> <p>develop [1] - 77:15</p> <p>developed [5] - 7:14, 7:17, 24:16, 165:8</p> <p>developer [1] - 59:8</p> <p>developers [1] - 50:5</p> <p>development [5] - 24:24, 50:11, 63:25, 137:15, 172:1</p> <p>Development [10] - 1:19, 1:21, 2:21, 44:8, 45:2, 48:15, 53:21, 63:17, 136:3, 180:20</p> <p>deviations [1] - 3:18</p> <p>devices [1] - 2:7</p> <p>Diane [3] - 1:9, 193:7, 193:19</p> <p>Dick's [1] - 21:25</p> <p>dictate [1] - 179:15</p> <p>die [1] - 177:23</p> <p>difference [1] - 93:8</p> <p>differences [1] - 26:7</p> <p>different [15] - 42:24, 117:17, 125:22, 126:15, 134:2, 134:4, 134:5, 134:7, 161:2, 165:17, 165:18, 166:10, 169:6, 182:12</p> <p>difficult [2] - 82:25, 92:1</p> <p>dig [1] - 155:6</p> <p>digest [1] - 184:21</p> <p>dignity [1] - 101:23</p> <p>dilapidated [2] - 33:21, 40:4</p> <p>diminish [1] - 85:8</p> <p>dinner [2] - 99:18, 118:11</p> <p>direct [1] - 162:20</p> <p>directing [1] - 150:23</p> <p>directional [1] - 180:17</p> <p>directly [4] - 52:24, 77:12, 106:23,</p>	<p>126:16</p> <p>director [1] - 102:18</p> <p>dirt [1] - 37:20</p> <p>disabled [1] - 117:18</p> <p>disagree [1] - 23:15</p> <p>disclose [1] - 159:1</p> <p>discuss [7] - 158:10, 158:16, 159:19, 159:24, 160:1, 189:2, 189:4</p> <p>discussed [3] - 173:14, 174:3, 185:24</p> <p>discussing [1] - 159:24</p> <p>discussion [40] - 5:5, 9:17, 15:17, 18:13, 21:8, 25:25, 27:10, 28:8, 31:6, 31:17, 38:16, 39:21, 40:13, 42:5, 45:23, 46:14, 48:3, 51:20, 53:5, 56:3, 58:4, 59:1, 59:11, 62:6, 62:14, 63:4, 65:14, 139:22, 140:1, 140:2, 140:24, 143:21, 146:21, 152:18, 155:14, 167:22, 179:8, 181:6, 181:16, 182:3, 183:16, 185:19, 186:15, 187:20, 188:9, 188:15, 191:1, 191:7, 192:19</p> <p>Discussion [5] - 8:2, 13:3, 22:2, 28:23, 93:23</p> <p>discussions [2] - 143:19, 174:8</p> <p>dispensaries [1] - 85:5</p> <p>dispensary [2] - 119:7, 163:9</p> <p>disrepair [1] - 33:23</p> <p>distance [13] - 7:19, 25:4, 86:16, 141:1, 141:2, 144:5, 145:9, 145:10, 148:1, 154:7, 159:20, 189:13, 191:2</p> <p>distanced [1] - 118:18</p> <p>distancing [1] - 131:13</p> <p>district [8] - 7:10, 10:14, 13:20, 16:17, 29:16, 47:6, 50:17, 64:2, 71:21</p> <p>district's [1] - 63:22</p> <p>Div [2] - 1:19, 1:20</p>	<p>document [3] - 97:2, 104:11, 173:8</p> <p>dollars [3] - 93:6, 96:17, 191:16</p> <p>donate [1] - 142:17</p> <p>done [17] - 20:20, 24:2, 44:10, 56:8, 71:5, 82:19, 83:6, 83:9, 89:4, 92:2, 100:9, 108:7, 124:19, 124:20, 150:22, 167:18, 176:13</p> <p>door [4] - 29:20, 131:6, 141:21, 164:4</p> <p>Dorian [1] - 14:10</p> <p>DOT [1] - 108:8</p> <p>double [1] - 40:24</p> <p>doubt [1] - 145:13</p> <p>Dowell [2] - 89:12, 89:17</p> <p>DOWELL [3] - 89:23, 90:3, 90:5</p> <p>down [31] - 3:8, 24:20, 27:2, 33:23, 36:14, 36:16, 37:21, 69:16, 69:19, 71:12, 85:1, 85:14, 92:7, 98:11, 107:19, 111:12, 121:21, 127:22, 132:25, 136:19, 138:20, 138:22, 138:23, 139:2, 149:13, 149:21, 151:1, 151:4, 159:23, 162:22, 178:4</p> <p>downsized [2] - 69:4, 71:7</p> <p>Dr [5] - 77:5, 100:22, 100:25, 103:13, 118:2</p> <p>DR [3] - 101:7, 101:12, 101:14</p> <p>drafting [1] - 180:16</p> <p>dramatically [1] - 71:7</p> <p>drape [1] - 74:11</p> <p>drawing [2] - 35:18, 144:13</p> <p>DRI [4] - 43:3, 43:8, 44:15, 60:8</p> <p>drink [3] - 26:22, 27:21, 95:18, 100:1, 102:25, 121:12, 122:13, 160:20</p> <p>drinking [4] - 111:15, 122:19, 134:3, 160:5</p> <p>DRIs [1] - 42:24</p> <p>drive [12] - 52:8, 52:16, 60:2, 60:7,</p>	<p>61:6, 61:7, 82:24, 121:12, 121:21, 122:13, 123:1, 160:20</p> <p>Drive [10] - 5:25, 6:1, 6:12, 16:14, 60:24, 90:25, 97:13, 116:20, 127:2, 132:9</p> <p>drive-through [3] - 60:2, 61:6, 61:7</p> <p>drive-throughs [1] - 60:7</p> <p>driveway [15] - 52:10, 105:7, 108:18, 107:11, 108:5, 108:13, 111:7, 111:9, 111:15, 117:14, 117:15, 121:8, 121:11, 121:15, 138:8</p> <p>driveways [1] - 60:11</p> <p>driving [2] - 139:1, 139:2</p> <p>Droege [4] - 119:23, 123:7, 123:9, 129:23</p> <p>drug [1] - 102:19</p> <p>drunk [2] - 118:4, 128:18</p> <p>due [2] - 33:23, 78:1</p> <p>Duggan [13] - 67:5, 67:6, 67:13, 135:6, 135:7, 139:14, 140:5, 140:20, 158:20, 158:22, 169:3, 172:19, 173:6</p> <p>DUGGAN [21] - 67:7, 67:12, 67:16, 67:18, 72:17, 72:21, 135:3, 135:9, 135:11, 140:10, 140:12, 141:9, 155:21, 156:23, 157:11, 157:24, 158:3, 158:5, 169:8, 173:8, 186:6</p> <p>during [8] - 82:20, 82:24, 99:18, 106:25, 114:5, 114:6, 114:11</p> <p>duty [1] - 82:17</p> <p>Duval [2] - 1:21, 2:18</p> <p>DUVAL [1] - 193:4</p>	<p>E-21-16 [11] - 6:11, 66:6, 66:9, 129:19, 134:21, 135:2, 139:16, 139:22, 139:25, 170:17, 175:11</p> <p>E-21-18 [8] - 6:12, 13:15, 13:17, 15:7, 15:13, 15:16</p> <p>E-21-19 [8] - 6:12, 7:1, 7:4, 9:7, 9:13, 9:16</p> <p>E-21-20 [8] - 6:13, 16:10, 16:13, 18:3, 18:9, 18:12</p> <p>E-21-21 [5] - 19:1, 19:3, 20:23, 21:4, 21:7</p> <p>E-21-21/WLD-21-05 [1] - 6:14</p> <p>E-21-22 [8] - 6:15, 29:7, 29:10, 30:21, 31:2, 31:5</p> <p>Eaglstain [2] - 97:10, 97:12</p> <p>EAGLSTEIN [3] - 97:18, 97:23, 98:1</p> <p>easier [4] - 150:15, 179:14, 192:8, 192:9</p> <p>easily [1] - 183:10</p> <p>east [1] - 19:14</p> <p>eat [3] - 81:13, 95:18, 99:24</p> <p>eating [2] - 95:12, 95:13</p> <p>echo [1] - 59:3</p> <p>ed [1] - 78:19</p> <p>Ed [1] - 1:7</p> <p>effect [1] - 171:23</p> <p>efficiency [1] - 4:19</p> <p>effort [3] - 105:20, 105:23, 108:4</p> <p>efforts [3] - 91:20, 98:17, 158:17</p> <p>egress [5] - 153:21, 156:9, 163:6, 177:20, 179:19</p> <p>egress/entrance [1] - 168:21</p> <p>eight [2] - 148:14, 150:13</p> <p>Einstein [3] - 116:17, 116:19, 119:12</p> <p>EINSTEIN [4] - 116:25, 117:5, 117:7, 119:14</p> <p>either [10] - 7:19, 22:7, 27:21, 52:17, 122:14, 126:14, 129:19, 136:7, 158:4, 172:4</p> <p>elderly [1] - 17:48</p>
---	---	--	--	--

**E**

E-15-20 [1] - 5:17  
 E-17-46 [1] - 5:18  
 E-20-46 [2] - 5:19, 187:16  
 E-20-84 [1] - 5:19

2021-1748

<p><b>Element</b> [1] - 137:14  <b>elementary</b> [1] - 111:21  <b>elements</b> [1] - 67:24  <b>Elephant</b> [1] - 148:6  <b>Eleven</b> [2] - 19:15, 24:20  <b>eligible</b> [1] - 86:20  <b>eliminated</b> [2] - 71:15, 71:25  <b>email</b> [4] - 131:5, 169:9, 191:21, 191:25  <b>emails</b> [2] - 80:18, 191:24  <b>emergency</b> [2] - 162:12, 183:9  <b>Emma</b> [1] - 64:18  <b>emotion</b> [1] - 147:11  <b>emotions</b> [1] - 149:2  <b>empathize</b> [1] - 160:18  <b>emphasize</b> [1] - 159:12  <b>emphastize</b> [2] - 134:13, 135:13  <b>employees</b> [1] - 94:4  <b>empty</b> [1] - 74:12  <b>encircling</b> [1] - 78:3  <b>encourage</b> [3] - 178:3, 183:11, 191:19  <b>end</b> [8] - 32:8, 61:8, 89:6, 108:22, 112:1, 121:17, 147:2, 175:2  <b>End</b> [3] - 138:21, 156:13, 180:11  <b>endorsement</b> [2] - 105:23, 141:5  <b>enforced</b> [1] - 135:23  <b>engender</b> [1] - 79:11  <b>engineer</b> [2] - 64:23, 64:24  <b>Engineering</b> [1] - 180:22  <b>engineering</b> [2] - 137:11, 180:14  <b>engineers</b> [1] - 167:16  <b>English</b> [2] - 127:16, 127:17  <b>enjoy</b> [1] - 79:13  <b>enjoys</b> [2] - 95:12, 95:13  <b>enrolled</b> [1] - 111:3  <b>ensure</b> [1] - 106:15  <b>ensuring</b> [1] - 78:25  <b>enthusiasm</b> [1] - 146:5  <b>entire</b> [4] - 85:19, 131:18, 142:19, 148:14  <b>entirely</b> [1] - 155:9</p>	<p><b>entrance</b> [8] - 117:21, 140:17, 149:8, 150:4, 150:5, 153:11, 156:22, 168:21  <b>entrepreneur</b> [2] - 77:16, 91:20  <b>entry</b> [2] - 3:7, 56:12  <b>equipment</b> [1] - 163:23  <b>equivalent</b> [1] - 36:3  <b>especially</b> [8] - 86:6, 93:8, 93:9, 98:9, 98:22, 114:11, 157:4, 158:17, 166:11  <b>essence</b> [1] - 81:10  <b>essential</b> [1] - 73:20  <b>essentially</b> [8] - 14:3, 25:9, 156:10, 157:2, 160:21, 171:7, 171:17, 171:21, 172:1  <b>establishment</b> [8] - 12:6, 79:1, 79:6, 118:4, 145:6, 185:7  <b>establishments</b> [2] - 54:2, 148:3  <b>estate</b> [1] - 91:25  <b>et</b> [1] - 171:24  <b>ethnicities</b> [1] - 117:17  <b>Etz</b> [2] - 102:8, 144:6  <b>evenhanded</b> [1] - 167:7  <b>evenings</b> [2] - 111:6, 111:9  <b>events</b> [2] - 157:21, 166:5  <b>everywhere</b> [1] - 95:17  <b>evidence</b> [1] - 160:10  <b>evolve</b> [1] - 147:24  <b>ex</b> [7] - 62:9, 62:18, 158:8, 158:13, 158:14, 158:23, 159:2  <b>ex-parte</b> [4] - 62:9, 62:18, 158:23, 159:2  <b>exact</b> [3] - 122:2, 122:22, 124:12  <b>exactly</b> [3] - 35:10, 94:6, 128:20  <b>example</b> [2] - 56:24, 149:13  <b>exception</b> [2] - 7:4, 13:17, 13:24, 14:2, 16:13, 19:3, 19:5, 19:9, 25:12, 26:10, 26:13, 29:10, 66:9,</p>	<p>66:24, 145:8, 145:12, 147:14, 147:20, 148:21, 155:20, 159:21, 159:25  <b>exceptions</b> [2] - 3:17, 22:23  <b>excess</b> [4] - 41:11, 160:5, 162:15, 166:12  <b>excessive</b> [1] - 133:16  <b>excited</b> [3] - 55:11, 99:13, 127:17  <b>excuse</b> [2] - 127:15, 188:11  <b>exemplary</b> [1] - 74:20  <b>exercise</b> [1] - 191:19  <b>exercising</b> [1] - 95:19  <b>exhibit</b> [2] - 170:18, 176:4  <b>exhibits</b> [8] - 49:14, 55:1, 60:16, 61:25, 62:5, 64:12, 176:5, 176:25, 185:23  <b>existed</b> [3] - 99:16, 150:11, 154:11  <b>existing</b> [8] - 8:24, 9:1, 54:5, 60:11, 69:16, 145:18, 145:24, 151:16  <b>exit</b> [1] - 111:20  <b>Exit</b> [1] - 180:11  <b>exiting</b> [1] - 181:22  <b>exits</b> [1] - 187:9  <b>expansion</b> [1] - 77:20  <b>expectation</b> [1] - 105:13  <b>experience</b> [2] - 136:14, 162:20  <b>experienced</b> [1] - 79:5  <b>expert</b> [5] - 101:17, 135:24, 136:6, 136:8, 149:6  <b>experts</b> [1] - 178:17  <b>expired</b> [1] - 60:8  <b>expiring</b> [2] - 96:12, 161:15  <b>explain</b> [1] - 102:6  <b>explained</b> [2] - 190:3, 190:5  <b>expressed</b> [1] - 102:8  <b>expressing</b> [1] - 131:20  <b>Expressway</b> [3] - 53:24, 57:8, 57:23  <b>extension</b> [1] - 172:22  <b>extent</b> [2] - 169:4, 190:6  <b>external</b> [2] - 54:15, 64:6</p>	<p><b>extra</b> [1] - 93:6  <b>extreme</b> [1] - 41:14  <b>extremely</b> [2] - 90:17, 96:7</p> <p style="text-align: center;"><b>F</b></p> <p><b>face</b> [3] - 21:23, 57:1, 58:16  <b>faces</b> [1] - 21:25  <b>facility</b> [4] - 60:2, 131:14, 133:13, 140:18  <b>facing</b> [2] - 85:24, 138:21  <b>fact</b> [10] - 37:24, 74:2, 74:4, 78:9, 93:1, 102:10, 107:23, 129:12, 152:10, 160:19  <b>factor</b> [1] - 139:3  <b>facts</b> [1] - 93:3  <b>failure</b> [2] - 57:3, 93:9  <b>fair</b> [1] - 23:7  <b>fairly</b> [2] - 34:10, 41:15  <b>fairness</b> [1] - 167:7  <b>faith</b> [2] - 79:10, 105:14  <b>familiar</b> [2] - 58:12, 102:20  <b>families</b> [4] - 79:12, 99:16, 118:12, 123:3  <b>family</b> [10] - 10:10, 10:12, 12:6, 74:1, 74:5, 78:17, 78:21, 79:3, 94:4, 99:14, 99:22, 102:23, 116:1, 118:9, 127:21, 144:24  <b>family-friendly</b> [1] - 99:14  <b>family-oriented</b> [2] - 78:17, 118:9  <b>fan</b> [1] - 100:6  <b>far</b> [12] - 16:7, 16:15, 24:8, 25:12, 25:17, 56:9, 95:25, 109:1, 144:18, 159:11, 165:16, 184:9  <b>fast</b> [3] - 110:9, 119:6, 163:7  <b>fast-service</b> [1] - 163:7  <b>father</b> [3] - 74:2, 144:19, 144:21  <b>favor</b> [25] - 5:9, 9:21, 13:7, 15:21, 18:17, 28:12, 29:2, 31:21, 42:9, 46:2, 46:18, 48:7, 53:10, 59:16,</p>	<p>63:8, 65:18, 66:1, 176:19, 177:12, 178:6, 184:1, 185:25, 186:19, 187:24, 188:20  <b>favorably</b> [1] - 92:23  <b>FDOT</b> [2] - 150:13, 178:21  <b>fear</b> [2] - 79:13, 192:7  <b>fears</b> [1] - 149:2  <b>federal</b> [1] - 101:18  <b>Federal</b> [1] - 61:5  <b>Federation</b> [2] - 98:12, 99:2  <b>feedback</b> [2] - 68:11, 70:18  <b>feelings</b> [1] - 141:6  <b>feet</b> [12] - 10:17, 23:2, 32:11, 32:12, 36:2, 38:25, 39:7, 41:8, 57:2, 60:19, 63:20  <b>Feldman</b> [2] - 113:1, 113:5  <b>FELDMAN</b> [5] - 113:9, 113:14, 113:19, 113:22, 114:2  <b>fellow</b> [1] - 169:21  <b>felt</b> [1] - 160:25  <b>fence</b> [24] - 32:19, 69:25, 70:2, 70:3, 70:4, 70:7, 70:10, 70:12, 81:19, 85:22, 107:14, 142:3, 148:9, 156:1, 156:2, 156:19, 157:6, 157:8, 157:23, 162:17, 168:17, 168:18, 172:22  <b>fenced</b> [1] - 163:22  <b>fencing</b> [8] - 70:14, 81:22, 142:2, 143:12, 177:5, 177:11  <b>few</b> [8] - 91:15, 91:18, 93:6, 98:2, 119:1, 135:12, 144:19, 147:10  <b>fewer</b> [1] - 69:15  <b>figure</b> [4] - 25:19, 144:14, 165:7, 181:21  <b>figured</b> [1] - 21:15  <b>fil</b> [8] - 149:11, 149:18, 149:20, 151:19, 151:20, 152:6, 161:14, 163:7  <b>filed</b> [1] - 189:22  <b>fill</b> [5] - 3:3, 130:3, 130:8, 132:1, 132:4  <b>filled</b> [1] - 137:4</p>
--	--	---	--	--

<p>final [3] - 3:22, 79:3, 103:1          finally [2] - 23:5, 87:1          financial [1] - 126:18          financially [1] - 98:8          findings [1] - 136:8          fine [3] - 61:2, 75:4, 179:3          finished [1] - 160:25          fire [3] - 47:8, 137:7, 137:13          first [14] - 56:16, 56:19, 69:12, 74:11, 83:21, 91:17, 108:23, 108:2, 127:15, 135:20, 137:3, 152:22, 152:25, 160:24          firsthand [1] - 79:6          Fisch [2] - 102:8, 144:7          Fish [1] - 78:9          five [10] - 70:12, 125:18, 125:20, 127:21, 129:25, 130:11, 151:20, 186:25, 187:7          five-minute [2] - 186:25, 187:7          fix [1] - 164:25          Flagler [3] - 43:5, 44:11, 44:16          flexibility [1] - 39:13          flexible [2] - 153:1, 185:3          floor [2] - 85:16, 170:13          Floor [1] - 1:8          Florence [1] - 5:22          Florida [15] - 1:9, 1:10, 11:5, 14:11, 73:4, 76:9, 80:4, 98:4, 104:17, 109:11, 120:4, 127:2, 135:17, 193:7, 193:19          FLORIDA [1] - 193:3          flourish [1] - 184:25          flourishing [1] - 78:11          flow [3] - 124:23, 137:17, 153:23          flows [1] - 166:12          FLUM [1] - 64:6          fly [1] - 162:10          focused [2] - 110:1, 110:22          folks [3] - 72:6, 72:12, 183:11          Folks [10] - 7:22, 10:24, 14:6, 16:25,</p>	<p>17:21, 19:23, 22:16, 24:9, 26:3, 29:22, 30:14, 32:25, 40:16, 47:12, 66:22, 66:23, 187:5, 190:1, 191:6          FOLKS [1] - 1:18          follow [3] - 4:4, 69:14, 107:9          follow-on [1] - 69:14          follow-up [1] - 107:9          followed [1] - 119:23          following [1] - 48:20          food [8] - 28:17, 57:13, 58:18, 78:5, 99:25, 112:3, 119:6, 152:6          foot [2] - 150:8, 151:16          footage [3] - 32:10, 33:25, 40:17, 42:1, 60:19, 61:4          football [1] - 78:19          footbridge [1] - 151:6          footnote [1] - 78:13          forces [1] - 149:16          foregoing [3] - 184:8, 192:21, 193:9          forensic [1] - 101:16          Forest [3] - 11:5, 20:2, 73:3          former [3] - 29:12, 37:18, 66:11          formerly [1] - 33:22          forms [1] - 83:21          forth [1] - 127:24          fortunate [2] - 86:2, 98:17          forward [10] - 12:5, 14:4, 21:24, 34:8, 47:13, 50:15, 51:17, 72:23, 168:3, 168:24          forwarded [1] - 10:22          forwarding [1] - 19:21          four [12] - 19:17, 48:25, 54:25, 83:8, 112:19, 127:23, 129:9, 133:11, 133:12, 148:14, 165:6, 175:5          FPR [1] - 1:9          frankly [1] - 89:4          Fred [3] - 10:25, 11:4, 12:10, 13:13, 45:1, 45:12          free [3] - 24:13, 35:25, 98:16, 100:10, 114:19, 143:3          free-standing [1] - 24:13          freedom [4] - 128:2,</p>	<p>128:9, 129:3, 129:13          frequently [2] - 34:11, 163:3          Friday [4] - 82:20, 83:2, 96:7, 128:5          Fridays [1] - 164:18          friend [1] - 76:24          friendliness [1] - 95:25          friendly [3] - 95:22, 99:14, 154:19          friends [7] - 74:1, 77:8, 111:3, 111:10, 121:19, 125:17, 147:8          friends' [1] - 111:12          front [10] - 29:16, 38:22, 41:20, 51:25, 52:21, 52:24, 57:5, 57:7, 85:2, 85:21, 108:17, 117:14, 122:5, 122:9, 140:17, 142:5          Front [1] - 76:8          frontage [2] - 68:15, 70:15          frustrating [1] - 41:6          full [3] - 20:16, 89:2, 98:20, 125:24, 154:6, 162:22, 190:6, 190:13          full-bar [1] - 162:22          full-service [2] - 20:16, 96:20          fun [1] - 100:12          function [1] - 162:19          fund [7] - 77:3, 98:16, 99:5, 99:6, 159:15, 168:7, 174:8          fund-raiser [4] - 99:6, 158:15, 168:7, 174:8          fund-raising [2] - 77:3, 98:16          Fuqua [1] - 64:18          FUQUA [2] - 64:22, 65:22          furthermore [1] - 85:21          Future [1] - 137:14          future [1] - 154:24</p>	<p>37:3, 37:16, 37:18, 41:20, 41:21, 48:23, 49:4, 51:24, 52:5          garages [2] - 49:12, 52:4          Garrison [2] - 2:16, 175:1          GARRISON [1] - 1:13          gas [4] - 54:5, 85:6, 86:12, 127:25          Gate [3] - 6:13, 16:10, 16:14          gather [1] - 79:12          General [4] - 1:20, 2:22, 177:10, 181:15          general [1] - 94:5          generally [1] - 4:16          generate [1] - 78:5          generous [1] - 164:17          gentlemen [1] - 16:4          George [1] - 103:16          giant [1] - 145:1          girls [1] - 127:22          given [13] - 19:18, 19:20, 37:24, 39:2, 50:4, 88:12, 89:4, 93:2, 93:17, 96:19, 131:8, 131:9, 155:5          glad [3] - 18:22, 21:14, 31:11          glass [1] - 24:3          Gloria [2] - 116:17, 116:19          God [1] - 185:12          golden [2] - 165:12, 185:5          good-faith [1] - 105:14          good-hearted [1] - 74:21          Google [1] - 95:24          Googled [1] - 80:21          Gottlieb [1] - 75:3          gracious [1] - 173:21          Gran [7] - 6:16, 6:17, 17:5, 30:1, 42:19, 43:8, 55:7          Grandma [1] - 100:5          grandmother [1] - 98:6          grandson [1] - 99:19          grandsons [1] - 100:4          granted [2] - 10:16, 13:24          Gray [2] - 44:25, 45:12          gray [1] - 45:1          great [30] - 8:12, 9:4, 12:10, 13:13, 14:6, 14:12, 15:5, 17:24, 30:3, 32:25, 33:6,</p>	<p>50:22, 55:8, 59:4, 64:14, 64:20, 65:1, 67:3, 76:10, 84:5, 84:14, 87:5, 87:15, 89:9, 91:2, 97:14, 99:15, 99:22, 99:25, 102:17, 129:6, 129:9, 133:8, 143:1, 144:17, 152:9, 171:12, 174:7          great-tasting [1] - 99:25          greater [1] - 33:24          green [1] - 87:13          greenery [1] - 142:7          grew [3] - 74:2, 74:25, 90:6, 91:14, 100:5, 161:3          Grill [3] - 77:17, 77:18, 78:11, 78:14, 78:16, 79:7, 85:11, 86:18, 143:24          Grille [2] - 83:17, 83:18          groceries [1] - 83:1          grocery [3] - 86:12, 190:22, 191:4          GROSS [3] - 120:9, 120:14, 120:16          Gross [2] - 119:22, 120:3          gross [3] - 123:5, 125:3, 154:13          ground [1] - 182:15          group [2] - 57:19, 104:2          Grove [1] - 90:25          grow [2] - 75:4, 77:15          grown [1] - 77:24          growth [1] - 77:19          guard [12] - 72:4, 82:20, 96:7, 96:13, 96:15, 98:25, 99:3, 102:15, 143:2, 144:8, 144:16, 164:13          guess [7] - 22:18, 23:17, 39:11, 56:7, 94:1, 159:8, 167:19          guest [1] - 48:24          guy [3] - 95:12, 95:13, 114:18, 143:1, 167:2, 168:5          guys [3] - 17:19, 55:15, 57:15, 86:14, 129:1, 140:24, 146:9, 147:17</p>
--	---	---	--	--

G

Gaffney [1] - 189:20  
 GALLUP [1] - 1:21  
 Gallup [1] - 2:20  
 game [1] - 112:8  
 games [3] - 78:21, 99:24, 166:5  
 garage [10] - 33:21,

2021-374

ON FILE

H				
<b>HACKER</b> [48] - 1:13, 4:24, 9:12, 12:23, 15:12, 18:8, 21:3, 21:10, 21:18, 22:6, 22:15, 23:7, 28:18, 31:1, 31:8, 38:11, 45:18, 46:9, 47:23, 51:5, 51:14, 55:23, 56:5, 57:15, 57:21, 61:24, 62:16, 63:1, 65:9, 135:1, 139:21, 140:4, 140:11, 140:19, 141:17, 141:19, 143:15, 144:2, 145:7, 167:24, 170:14, 177:19, 181:8, 186:10, 187:15, 188:4	163:19, 164:19, 165:24, 166:11, 168:21, 177:20, 178:3, 179:19, 180:17, 181:22, 182:13, 183:12 half [3] - 22:12, 154:14, 156:20 Hall [2] - 4:12, 191:17 hallway [2] - 3:7 hand [30] - 11:10, 14:15, 17:10, 20:7, 30:6, 33:9, 34:25, 43:23, 66:1, 73:8, 76:13, 80:6, 84:17, 87:23, 89:22, 91:5, 95:2, 97:17, 101:6, 104:8, 104:21, 109:15, 113:13, 115:16, 116:24, 120:8, 124:1, 127:7, 130:22, 132:13 handicapped [3] - 81:20, 140:8, 140:14 handing [1] - 66:17 handle [1] - 187:3 handled [1] - 80:23 handling [1] - 158:21 handsome [1] - 165:7 hang [4] - 40:25, 121:19, 121:20, 123:1 hanging [2] - 50:7, 123:2 happy [10] - 50:20, 70:9, 71:18, 71:20, 112:2, 118:10, 142:18, 143:9, 144:23, 180:25 hard [8] - 84:3, 112:5, 119:10, 136:16, 146:10, 148:16, 148:25, 162:2 hard-pressed [2] - 136:16, 146:10 hardest [1] - 56:22 Hardboard [1] - 36:7 Harm [2] - 94:18, 94:20 harm [1] - 79:14 HARM [6] - 94:25, 95:3, 95:8, 95:10, 97:2, 97:4 Harris [42] - 67:20, 69:2, 73:19, 75:9, 75:21, 76:25, 77:15, 78:22, 79:19, 79:20, 80:3, 84:6, 85:11, 85:13, 86:2, 87:1, 96:16, 99:8, 100:23,	100:25, 103:13, 105:15, 106:6, 106:20, 106:25, 114:7, 118:2, 124:11, 124:13, 125:7, 129:6, 131:15, 133:6, 141:13, 141:18, 141:19, 146:7, 152:25, 160:7, 160:14, 185:2, 185:13 HARRIS [16] - 75:22, 79:21, 79:25, 80:3, 80:7, 80:12, 80:15, 101:7, 101:12, 101:14, 141:22, 143:20, 144:6, 160:24, 162:6, 164:6 Harrises [1] - 77:7 hatch [1] - 140:6 Hazouri [1] - 191:12 head [4] - 25:17, 25:21, 58:9, 153:14 Health [2] - 12:4, 134:17 hear [33] - 23:5, 37:4, 79:18, 84:7, 87:7, 89:11, 90:21, 94:17, 96:1, 97:10, 103:15, 103:19, 103:23, 104:10, 109:2, 109:6, 110:6, 113:1, 115:4, 115:7, 116:13, 116:17, 119:22, 123:7, 123:11, 126:21, 132:3, 155:1, 155:10, 158:6, 183:5, 190:2 heard [15] - 4:8, 4:18, 70:19, 79:22, 91:17, 92:11, 95:20, 103:7, 105:6, 110:6, 118:2, 137:19, 138:9, 143:25, 189:25 hearing [33] - 4:10, 5:17, 6:9, 6:10, 6:15, 6:20, 7:2, 9:10, 12:21, 15:10, 18:6, 21:1, 30:24, 33:19, 38:9, 45:16, 47:21, 51:3, 51:24, 55:21, 61:22, 65:7, 67:19, 68:11, 70:18, 70:25, 85:1, 134:24, 136:9, 139:19, 168:3, 168:24, 192:10 hearings [3] - 3:17, 136:7, 136:12	heart [3] - 129:3, 184:23, 191:12 heartburn [1] - 165:15 hearted [1] - 74:21 heater [1] - 117:13 heavily [2] - 160:11, 165:14 Heckscher [1] - 5:25 height [8] - 36:2, 39:1, 39:5, 39:8, 40:1, 41:11 held [7] - 1:6, 8:2, 12:1, 22:2, 70:23, 93:23, 167:25 help [16] - 16:4, 16:6, 23:18, 71:21, 85:17, 86:5, 87:1, 87:18, 88:16, 90:7, 99:5, 102:15, 133:18, 141:19, 143:9, 153:7, 159:16, 161:20 helpful [1] - 164:13 helping [5] - 93:16, 93:20, 94:2, 94:3, 151:3 Herman [3] - 109:6, 109:10, 110:20 HERMAN [5] - 109:16, 109:21, 109:23, 110:9, 110:21 Herring [4] - 103:19, 103:21, 132:8, 132:21 HERRING [3] - 132:14, 132:19, 132:21 Herschel [1] - 87:11 hesitant [2] - 167:1, 168:15 hi [3] - 17:2, 34:18, 126:24 Hi [2] - 87:10, 119:25 hide [2] - 107:24, 191:24 high [5] - 74:3, 83:3, 117:13, 126:13, 164:18 high-tech [1] - 117:13 highlighted [1] - 138:5 highly [2] - 83:20, 124:24 Highway [1] - 27:2 Hill [1] - 96:3 hire [1] - 82:17 hiring [1] - 102:15 historically [1] - 61:5 hit [3] - 23:20, 36:21, 39:6 hitting [1] - 67:9	Hoffa [1] - 123:15 Hogan [1] - 1:8 hold [1] - 33:25 holder [1] - 14:1 holiday [2] - 150:24, 164:18 holidays [5] - 83:3, 111:8, 114:5, 114:11, 126:13, 142:16 Hollow [2] - 127:2, 132:9 Holocaust [3] - 74:13, 79:5, 103:4 home [5] - 74:3, 83:1, 119:3, 119:8, 143:23 homeowner [1] - 33:20 homes [4] - 10:13, 36:9, 36:18, 111:12 homestead [2] - 10:11, 12:6 honest [3] - 74:21, 75:8, 88:12 honestly [1] - 166:1 honesty [1] - 101:24 honor [2] - 76:23, 99:10 honored [1] - 74:14 hookah [1] - 85:5 hope [6] - 58:16, 84:2, 99:11, 105:12, 129:1, 185:12 hoped [1] - 165:16 hopefully [4] - 72:10, 73:21, 124:10, 191:25 hoping [3] - 96:18, 146:1, 165:17 Horn [2] - 17:5, 30:1 horrifying [1] - 114:17 hour [4] - 112:2, 118:10, 118:11, 163:4 hours [7] - 68:2, 118:12, 119:10, 134:4, 134:6, 159:3, 166:10 house [16] - 32:11, 35:21, 36:3, 38:22, 39:5, 39:8, 40:2, 41:19, 81:5, 111:11, 122:5, 122:9, 122:16, 143:22, 182:15 House [3] - 78:7, 83:18, 90:12 houses [7] - 90:9, 117:11, 118:24, 120:2, 120:24

<p>133:23, 154:12 Howard [2] - 103:23, 104:16 huge [1] - 93:7 hundred [2] - 54:12, 156:2 Huntington [4] - 36:14, 37:20, 37:21, 41:16 Hurricane's [1] - 83:18 hurt [2] - 160:16, 161:10 hurts [2] - 192:11, 192:13 husband [4] - 77:4, 100:7, 122:24, 128:5 HUXFORD [24] - 1:18, 7:3, 10:7, 13:16, 16:12, 19:2, 22:20, 24:14, 26:6, 26:25, 29:9, 32:6, 32:18, 39:2, 40:19, 40:24, 41:7, 46:25, 47:15, 66:8, 67:1, 186:25, 189:5, 190:18 Huxford [1] - 169:10</p>	<p>192:13 impression [1] - 142:13 improve [1] - 107:13 inaudible [4] - 36:15, 36:25, 161:6, 188:14 include [3] - 137:16, 170:7, 176:4 included [7] - 48:20, 68:24, 106:2, 106:12, 107:11, 107:12, 155:19 including [7] - 7:15, 67:25, 68:4, 69:23, 83:3, 83:8, 106:3 inclusive [1] - 78:20 inclusiveness [1] - 79:10 incompatible [1] - 115:25 incorporate [2] - 176:5, 177:9 incorporated [2] - 156:3, 171:22 incorporates [2] - 155:24, 172:18 incorporating [1] - 181:2 incorrect [1] - 154:15 increase [8] - 32:9, 40:6, 43:10, 48:17, 50:1, 71:11, 94:9, 94:11 increased [2] - 116:8, 116:9 increases [1] - 94:13 independent [1] - 60:23 indicates [1] - 140:15 indicating [2] - 72:16, 129:21 indicating [1] - 157:5 indicating [1] - 140:11 indispensable [1] - 119:10 individual [2] - 75:8, 176:15 indulgence [1] - 67:10 industrial [1] - 13:20 infers [1] - 106:9 informality [1] - 192:11 informally [1] - 183:5 information [3] - 155:3, 181:9, 184:21 informed [3] - 62:10, 108:8, 158:20 ingress [1] - 163:6 ingress/egress [1] -</p>	<p>178:3 initial [5] - 27:15, 68:16, 106:25, 168:2, 168:23 initiated [1] - 143:21 inn [5] - 66:11, 118:24, 127:22, 134:1, 134:3, 138:3, 138:9, 154:22, 165:3 input [2] - 37:16, 180:14 inquired [1] - 189:6 inside [2] - 70:3, 70:11 installed [8] - 12:2, 12:3, 117:15, 156:9, 156:20, 180:18 instance [1] - 93:14 instances [1] - 136:16 instead [3] - 81:3, 107:12, 151:21 institutions [2] - 112:18, 112:19 instructed [1] - 124:15 integrity [2] - 85:9, 99:10 intended [1] - 51:12 intends [3] - 47:8, 69:8, 189:21 intense [2] - 61:10, 139:7 intensify [1] - 138:2 intensity [2] - 138:1, 152:24 intent [2] - 57:9, 178:14 intentionally [1] - 104:1 interact [1] - 105:24 interaction [1] - 138:8 interactions [1] - 133:12 interchange [1] - 164:23 interconnectivity [1] - 137:21 interest [2] - 27:4, 85:6 interested [1] - 96:21 interesting [1] - 126:7 interests [1] - 126:15 intermingle [1] - 124:24 internal [2] - 54:15, 64:7 international [1] - 98:13 interpretation [1] - 164:2 interrupt [2] - 113:23, 180:6</p>	<p>Interruption [1] - 32:16 Intersection [8] - 7:6, 47:3, 96:14, 139:5, 149:21, 163:12 Interstate [1] - 16:15 Introduce [1] - 79:8 Introduced [2] - 43:7, 189:9 Invested [1] - 118:6 Invited [1] - 99:6 Invoices [1] - 83:24 Involved [3] - 91:24, 150:13, 159:16 Involving [1] - 78:15 iPad [1] - 99:20 iPads [1] - 99:17 iPhones [1] - 99:18 Ironic [1] - 56:10 Irrelevant [1] - 161:22 Issue [18] - 24:19, 25:8, 70:25, 82:23, 88:10, 96:9, 105:22, 109:25, 110:22, 121:7, 131:17, 136:24, 137:22, 138:13, 142:21, 166:6, 178:16, 179:19 Issues [8] - 11:22, 68:10, 81:13, 82:12, 105:25, 121:9, 133:11, 144:1 Item [2] - 86:20, 183:22 Items [7] - 4:6, 4:16, 5:16, 6:9, 32:14, 36:8, 133:12 Items [1] - 86:18 Itself [1] - 136:22</p>	<p>Jaffa [4] - 123:16, 123:17, 123:21, 134:14 JAFFA [3] - 124:2, 124:7, 124:9 James [1] - 64:18 Jammes [1] - 7:13 Jason [1] - 162:4 JASON [1] - 1:15 Jax [1] - 61:5 Jeanine [3] - 76:3, 76:23, 103:7 Jeanne [2] - 115:8, 115:10 Jerk [1] - 27:15 Jew [1] - 103:6 Jewish [14] - 74:5, 74:10, 77:11, 79:10, 82:21, 98:10, 98:11, 114:5, 145:2, 145:5, 147:4, 150:16, 150:21, 151:9 Job [1] - 144:22 Jobs [1] - 100:12 JOHNSTON [21] - 1:20, 51:9, 171:1, 171:16, 171:25, 172:9, 172:12, 172:15, 172:18, 173:1, 174:23, 175:12, 175:16, 175:20, 175:23, 175:25, 176:13, 180:6, 183:21, 184:9, 184:13 Johnston [3] - 169:9, 173:9, 181:10 Johnston's [1] - 181:23 Join [1] - 2:9 Joined [1] - 2:18 Joke [1] - 83:23 Jones [1] - 14:10 JONES [4] - 14:16, 14:21, 14:24, 16:1 Jose [28] - 6:11, 66:7, 66:11, 68:15, 77:22, 77:24, 98:10, 98:22, 107:11, 111:4, 112:16, 114:13, 118:1, 120:23, 122:4, 133:21, 137:8, 140:7, 145:16, 150:9, 153:13, 153:22, 163:15, 164:23, 182:17, 182:19 JOSHUA [1] - 1:13 Journal [2] - 91:18, 92:21</p>
<p>I I-295 [1] - 16:15 IAN [1] - 1:14 Idea [8] - 27:15, 102:17, 142:6, 165:24, 190:13 Identifying [1] - 180:13 II [3] - 6:21, 7:11, 48:13 IKEA [1] - 16:15 Images [1] - 61:8 Imagine [5] - 40:4, 95:16, 112:5, 151:18, 162:25 Immediate [2] - 126:8, 126:10 Immediately [3] - 88:20, 148:7, 148:12 Impact [7] - 36:9, 37:2, 38:1, 69:14, 93:7, 190:20, 191:3 Impacts [1] - 60:15 Implemented [1] - 37:17 Important [10] - 3:1, 3:9, 90:17, 93:5, 101:20, 117:19, 129:4, 150:21, 156:24, 162:13 Importantly [1] -</p>				



Jr [1] - 11:4 judicial [1] - 3:19 jump [1] - 23:20 jumping [1] - 59:5 justifies [2] - 137:2, 138:15	58:23, 59:20 knock [1] - 81:8 knowledgeably [1] - 141:14 known [2] - 73:23, 88:7 knows [2] - 29:17, 143:21 KRISTEN [1] - 1:19	law [2] - 103:9, 110:13 laws [3] - 111:23, 120:17, 120:19, 121:5, 122:21, 135:22 lawsuit [1] - 161:7 lawyer [1] - 124:15 layers [1] - 154:1 laying [1] - 114:16 leaders [1] - 105:21 leads [1] - 121:16 leagues [1] - 78:18 leaning [1] - 160:11 learned [1] - 136:18 lease [1] - 85:7 leased [1] - 85:3 least [7] - 48:22, 52:2, 67:24, 127:23, 129:8, 163:21, 171:23 leave [7] - 117:22, 117:23, 121:21, 132:2, 163:5, 173:22, 185:16 leaves [1] - 66:5 leaving [2] - 111:15, 138:20 left [5] - 118:13, 145:4, 149:6, 149:19, 153:13 Left [1] - 156:14 legal [2] - 37:19, 148:10 Leggett [3] - 6:21, 48:13, 49:21 legislate [1] - 178:15 legislation [2] - 189:6, 189:22 legitimate [1] - 166:3 less [4] - 10:11, 41:13, 112:11, 163:4 letter [3] - 140:21, 141:7, 143:1 letters [1] - 23:1 letting [1] - 155:4 level [3] - 24:12, 105:10, 116:8 Lewis [2] - 49:25, 188:13 LEWIS [3] - 1:19, 37:9, 42:20, 48:14, 53:20, 59:24, 63:16, 188:14 license [3] - 14:1, 28:12, 78:10, 86:17, 88:15, 88:19, 88:20, 135:15 lieu [2] - 158:22 life [5] - 74:25, 100:8, 129:4, 129:13, 162:12	life/safety [2] - 137:3, 163:22 lifted [1] - 121:6 light [3] - 20:18, 87:13, 98:24, 102:10, 149:12, 163:13 Light [1] - 13:19 likely [1] - 139:11 limb [1] - 183:1 limitations [1] - 63:22 limited [2] - 2:25, 60:18 line [3] - 38:25, 64:24, 64:25, 93:7, 106:16, 118:19, 142:10, 152:8 lines [2] - 119:2, 156:15 liquor [2] - 7:15, 83:16, 83:19, 86:17, 88:20, 88:25, 119:10, 141:1, 144:5, 145:9, 145:10, 147:15, 148:1, 148:3, 148:11, 154:4, 154:6, 154:7, 159:20, 160:1, 160:6, 162:23, 189:13, 190:7, 190:23, 190:25, 191:2, 191:4 Liquor [1] - 167:5 list [4] - 96:1, 96:5, 169:3, 169:7 listed [2] - 4:17, 62:1 listened [2] - 70:20, 85:15 listening [1] - 180:9 listens [1] - 86:3 listing [1] - 169:11 listings [3] - 95:24, 96:2, 96:22 literally [1] - 159:12 live [14] - 34:19, 91:15, 95:14, 100:9, 112:15, 114:4, 115:11, 117:7, 122:6, 126:8, 126:9, 126:16, 127:21, 134:10 lived [3] - 77:1, 98:4, 117:7, 118:24, 146:25, 147:1 living [1] - 95:16 loan [1] - 59:8 lobby [1] - 20:17 Local [1] - 88:16 local [7] - 78:23, 92:10, 94:3, 98:9, 98:13, 105:21, 106:9 located [7] - 3:5, 4:15, 7:12, 68:17, 86:10, 86:17, 86:21 location [1] - 9:1, 25:15, 37:17, 43:12, 64:10, 68:8, 78:3, 86:17, 111:25, 114:8, 114:20, 124:19, 152:24, 171:3, 172:5, 173:3 logic [1] - 165:23 Lon [1] - 123:12 look [1] - 35:18, 36:13, 52:6, 52:20, 57:22, 71:20, 88:22, 88:23, 124:22, 134:18, 137:4, 147:12, 154:2, 164:21, 168:3, 168:23 looked [3] - 120:22, 142:9, 144:20 looking [1] - 33:20, 58:10, 61:7, 90:11, 112:8, 117:23, 117:24, 153:15, 153:18, 154:5, 154:10, 154:16, 154:21 looks [4] - 24:24, 51:24, 118:16, 153:7 loop [2] - 137:6, 153:23 loop-flow [1] - 153:23 loose [1] - 130:11 Loretto [1] - 5:24 lose [1] - 128:24 lost [2] - 139:2, 162:14 lounges [1] - 85:5 love [1] - 58:18, 58:21, 74:5, 142:23, 153:20, 159:16, 182:8, 182:10, 182:22, 182:23, 191:24 lower [2] - 119:5, 138:1 lower-intensity [1] - 138:1 lower-status [1] - 119:5 Lubliner [2] - 144:18, 144:20 luck [1] - 28:2 luxury [2] - 44:9, 44:10 LUZ [7] - 4:4, 4:6, 4:9, 4:11, 489:7, 489:10, 2021-374
<b>K</b>	<b>L</b>		
Karen [3] - 119:23, 123:7, 123:9 keep [4] - 112:21, 149:15, 167:8, 181:21 keeping [2] - 37:23, 110:25 kept [3] - 3:2, 3:14, 149:21 kids [1] - 71:24, 91:16, 99:17, 99:23, 102:23, 111:2, 112:5, 114:10, 121:16, 121:19, 121:20, 121:24, 122:2, 122:8, 127:21, 128:8, 128:11, 147:7, 151:3 kids' [5] - 111:10, 128:1, 129:3, 151:1 killed [2] - 102:12, 114:15 Kimley [2] - 17:5, 30:1 Kimley-Horn [2] - 17:5, 30:1 kind [1] - 25:6, 34:20, 49:25, 50:9, 52:4, 52:9, 52:10, 56:12, 58:8, 58:15, 67:23, 94:6, 117:12, 135:18, 153:25, 155:5, 173:22, 182:11, 182:25 kindness [1] - 74:6 kinds [1] - 57:13 King [1] - 61:12 Kings [1] - 5:20 kinks [1] - 56:20 knee [2] - 27:15, 68:22 knee-jerk [1] - 27:15 Knighting [3] - 17:4, 17:25, 29:23, 29:25, 30:18, 55:4, 55:5, 55:6 KNIGHTING [2] - 17:11, 17:16, 17:18, 18:1, 18:24, 29:25, 30:7, 30:12, 30:14, 30:19, 31:14, 32:1, 55:6, 55:10, 56:15, 57:4, 57:17, 58:1,	lack [1] - 177:23 ladies [2] - 16:4, 24:1 Lakeside [1] - 6:1 Land [4] - 4:1, 4:8, 136:3, 137:14 land [12] - 3:24, 10:12, 24:21, 25:2, 44:7, 44:8, 54:10, 64:4, 64:8, 136:14, 138:17, 189:19 landlord [1] - 108:6 landscape [1] - 107:13 landscaped [1] - 163:22 landscaping [3] - 70:3, 70:6, 70:11, 85:23, 156:3, 168:18 lane [2] - 77:24, 77:25 Lane [1] - 6:3, 6:4, 11:5, 34:19, 64:19, 80:4, 101:1, 111:12, 123:22, 147:1 lanes [2] - 148:15 language [2] - 181:3, 181:4 Large [1] - 1:10 large [3] - 21:23, 41:10, 41:15 largely [2] - 7:17, 26:19 larger [1] - 33:24 last [2] - 6:2, 62:12, 62:19, 66:6, 66:12, 67:19, 68:11, 70:18, 85:1, 95:11, 95:20, 106:1, 126:4, 132:22, 133:11, 136:9, 146:24, 146:25, 150:6, 154:9, 165:11, 165:18, 166:8, 183:22, 184:21 lastly [2] - 6:23, 134:13 late [2] - 67:19, 134:6 latest [1] - 189:25 LAURIE [1] - 1:20		

189:14	Marjorie [2] - 73:2, 76:5 market [2] - 36:21, 36:22 marketing [1] - 106:21 marshal [1] - 137:13 Martin [3] - 75:2, 94:18, 94:20 mat [1] - 80:3 match [1] - 181:14 matches [1] - 83:25 material [2] - 3:12, 36:4 math [1] - 40:25 Matt [10] - 77:14, 78:22, 78:24, 79:18, 85:11, 85:13, 86:2, 87:1, 90:14, 99:7, 99:10, 101:21, 102:14, 129:6, 129:7, 165:9, 167:8, 167:9 Matt's [1] - 166:22 matter [11] - 44:23, 45:13, 62:11, 66:24, 78:9, 131:8, 152:22, 153:3, 153:4, 158:21, 159:10 matters [8] - 4:3, 6:6, 66:6, 129:19, 130:6, 131:13, 134:21, 139:16, 152:14 Matthew [15] - 73:19, 73:23, 74:4, 74:8, 74:16, 74:23, 74:25, 75:4, 75:7, 75:9, 76:25, 79:9, 88:7, 91:18, 92:11 Matthew's [1] - 74:19 Max [3] - 6:20, 48:12, 49:21 maximize [1] - 93:5 maximum [3] - 54:1, 63:19, 142:5 McDonald's [2] - 54:5, 61:12 Meadows [1] - 16:14 mean [7] - 140:25, 143:1, 143:13, 148:15, 150:10, 154:10, 169:5 meaning [1] - 165:12 means [1] - 93:16 meant [1] - 106:7 measure [3] - 82:6, 161:12, 182:24 measures [8] - 131:12, 150:14, 150:17, 151:9, 153:7, 159:13	Mecke [1] - 103:16 media [2] - 98:21, 136:18 median [1] - 182:16 medical [1] - 60:4 meet [3] - 4:9, 54:14, 56:23, 57:9, 86:19, 88:9, 98:18, 141:24 MEETING [1] - 1:3 meeting [2] - 2:4, 4:23, 5:3, 5:16, 66:13, 69:1, 70:6, 92:15, 92:18, 95:11, 95:20, 105:12, 106:1, 106:23, 106:25, 107:9, 132:22, 146:24, 154:9, 170:20, 174:4, 192:19 meetings [4] - 67:21, 67:25, 68:4, 189:21 meets [7] - 4:11, 32:22, 39:3, 54:15, 64:6, 86:18, 86:24 Melting [1] - 16:20 Member [4] - 1:14, 1:14, 1:15, 1:15 member [31] - 2:24, 11:1, 14:7, 17:1, 19:24, 33:1, 34:9, 43:15, 49:17, 64:15, 72:24, 76:1, 84:9, 87:9, 89:13, 90:23, 94:19, 97:11, 100:11, 100:24, 104:5, 109:7, 113:2, 114:3, 115:9, 116:18, 119:24, 123:18, 126:23, 128:25, 130:14 MEMBER [45] - 11:4, 14:10, 17:4, 20:2, 33:4, 34:12, 34:14, 34:18, 43:17, 45:8, 49:19, 64:18, 73:2, 76:3, 84:12, 87:10, 89:14, 89:17, 90:24, 94:20, 97:12, 100:25, 103:20, 104:6, 104:11, 104:16, 109:4, 109:10, 113:5, 115:10, 116:19, 119:25, 120:3, 123:13, 123:16, 123:21, 127:1, 129:21, 129:24, 130:4, 130:7, 130:10, 130:17, 132:6, 132:8	member's [2] - 110:2, 110:24 MEMBERS [84] - 5:6, 5:10, 5:12, 6:7, 9:8, 9:18, 9:22, 9:24, 12:19, 13:4, 13:8, 13:10, 15:8, 15:18, 15:22, 15:24, 18:4, 18:14, 18:18, 18:20, 20:24, 28:9, 28:13, 28:15, 28:24, 29:3, 29:5, 30:22, 31:18, 31:22, 31:24, 38:7, 42:6, 42:10, 42:12, 45:14, 45:24, 46:3, 46:5, 46:15, 46:19, 46:21, 47:19, 48:4, 48:8, 48:10, 51:1, 53:6, 53:11, 53:13, 55:19, 59:2, 59:13, 59:17, 59:19, 61:20, 62:7, 63:5, 63:9, 63:11, 65:5, 65:15, 65:19, 65:21, 72:16, 103:17, 116:15, 123:8, 123:10, 134:22, 139:17, 176:20, 176:22, 177:13, 177:15, 178:7, 183:17, 184:2, 184:4, 185:20, 186:1, 186:3, 186:16, 186:20, 186:22, 187:21, 187:25, 188:2, 188:10, 188:17, 188:21, 188:23, 191:8, 192:17 members [14] - 2:20, 4:21, 7:25, 10:1, 10:13, 21:21, 67:22, 73:17, 76:22, 77:10, 82:24, 141:23, 143:4, 150:15 memorializing [1] - 74:18 memory [1] - 73:25 Memory [1] - 74:9 mensch [1] - 74:20 mention [4] - 86:14, 103:2, 103:3, 133:22 mentioned [8] - 15:1, 95:21, 119:4, 121:3, 133:25, 146:24, 148:6, 152:23 mentioning [1] - 158:13 mentions [1] - 133:21 menu [1] - 78:23	Merrill [1] - 5:18 mess [3] - 52:19, 173:15, 173:17 message [1] - 161:9 messaged [2] - 91:19, 92:22 met [7] - 8:23, 57:10, 68:16, 85:14, 91:18, 105:5, 108:19 metal [3] - 36:5, 37:3, 38:24 Miami [1] - 29:12 mic [3] - 35:13, 37:11, 94:23 Michaels [2] - 49:19, 50:23 MICHAELIS [3] - 52:1, 52:23, 53:16 Microphone [1] - 57:3 microphone [3] - 3:10, 16:6, 37:7 middle [2] - 68:19, 81:21 might [2] - 40:16, 95:11 Mike [2] - 132:8, 132:21 mile [1] - 78:12 Mill [2] - 117:25, 149:22 million [4] - 36:19, 36:21, 36:22, 36:24 million-one [1] - 36:22 million-three [1] - 36:24 mind [5] - 83:14, 112:14, 112:22, 132:24, 167:2 mine [3] - 83:17, 110:1, 110:23 minimum [1] - 86:16 minor [5] - 3:19, 42:22, 43:1, 43:9, 44:19 minute [3] - 2:25, 6:2, 75:15, 119:16, 186:25, 187:7 minutes [10] - 4:22, 4:25, 5:4, 24:5, 108:15, 108:25, 110:13, 119:13, 128:17, 162:24 minutes' [1] - 91:15 Mirjam [1] - 116:14 misleading [1] - 106:2 missed [1] - 40:17 mitzvah [2] - 74:9, 74:17 mix [2] - 54:11, 54:14 mixer [1] - 53:74
--------	--	---	---	--

<p>56:21, 102:24 mixed-use [2] - 55:12, 56:21 MM-19-06 [3] - 5:20, 188:5, 188:8 MM-21-03 [1] - 5:21 MM-21-07 [6] - 6:16, 42:19, 42:21, 43:13, 45:19, 45:22 MM-21-08 [5] - 6:17, 42:22, 43:13, 46:10, 46:13 mobile [1] - 2:6 mode [1] - 2:8 model [1] - 25:16 modification [1] - 43:1 modifications [3] - 3:19, 42:22, 43:10 modified [2] - 85:16, 87:1 mods [1] - 44:19 MOLDOVAN [30] - 1:15, 5:1, 9:14, 12:25, 15:14, 18:10, 21:5, 27:13, 28:20, 31:3, 38:13, 39:23, 45:20, 46:11, 47:25, 51:7, 55:25, 62:2, 65:11, 139:23, 152:20, 177:6, 179:11, 181:18, 181:25, 183:4, 184:16, 186:12, 187:17, 188:6 Moldovan [15] - 2:17, 27:12, 28:7, 39:22, 40:12, 108:14, 152:19, 155:13, 179:10, 181:17, 182:2, 183:3, 183:15, 184:15, 185:18 Moldovan's [1] - 180:8 moment [4] - 2:11, 34:5, 37:12, 173:24 monetary [1] - 99:3 money [3] - 98:13, 124:17, 151:7 months [3] - 27:1, 36:19, 83:22 Monument [3] - 6:15, 29:8, 29:11 morning [1] - 151:2 most [10] - 68:4, 78:4, 95:22, 114:17, 134:8, 134:11, 145:14, 170:17, 176:4, 182:18 mother [3] - 73:25,</p>	<p>98:7, 103:9 mother-in-law [1] - 103:9 mothers [1] - 160:21 motion [84] - 5:2, 5:8, 5:13, 9:15, 9:20, 9:25, 13:1, 13:6, 13:11, 15:15, 15:20, 15:25, 18:11, 18:16, 18:21, 21:6, 28:11, 28:16, 28:21, 29:1, 29:6, 31:4, 31:20, 31:25, 38:14, 42:8, 42:13, 45:21, 46:1, 46:6, 46:12, 46:17, 46:22, 48:1, 48:6, 48:11, 51:18, 53:8, 53:14, 56:1, 59:15, 59:21, 62:3, 63:7, 63:12, 65:12, 65:17, 65:23, 139:24, 168:1, 170:7, 170:12, 170:13, 170:16, 174:18, 175:10, 175:19, 176:3, 176:24, 177:4, 177:7, 177:8, 177:16, 177:19, 178:1, 181:13, 183:19, 183:24, 183:25, 184:5, 184:6, 185:22, 186:4, 186:14, 186:18, 186:23, 187:18, 187:23, 188:3, 188:7, 188:19, 188:24 motions [1] - 174:11 motor [1] - 7:18 move [31] - 4:24, 7:1, 9:12, 12:5, 12:23, 15:12, 18:8, 21:3, 28:18, 31:1, 38:11, 45:18, 46:9, 47:23, 51:5, 51:15, 51:17, 55:23, 61:24, 65:9, 71:23, 72:12, 75:20, 82:10, 135:1, 139:21, 170:6, 171:11, 186:10, 187:15, 188:4 moved [7] - 24:19, 51:11, 83:8, 85:19, 107:10, 154:12, 165:22 MR [151] - 7:3, 7:25, 8:4, 8:6, 8:10, 8:18, 8:21, 10:1, 10:7, 11:8, 11:11, 11:16, 11:18, 13:12, 13:16,</p>	<p>14:16, 14:21, 14:24, 16:1, 16:12, 19:2, 20:8, 20:13, 20:16, 21:17, 21:20, 22:3, 22:11, 22:20, 23:9, 23:22, 23:25, 24:14, 26:6, 26:25, 27:6, 28:5, 28:17, 29:9, 32:6, 32:18, 33:10, 33:15, 33:18, 34:6, 35:1, 35:6, 35:9, 35:15, 35:24, 36:1, 37:9, 37:15, 39:2, 40:19, 40:24, 41:2, 41:7, 42:15, 42:20, 43:24, 44:4, 44:6, 45:1, 45:5, 46:7, 48:25, 47:15, 48:14, 52:1, 52:23, 53:16, 53:20, 59:24, 63:16, 64:22, 65:22, 66:8, 67:1, 67:7, 67:12, 67:16, 67:18, 72:17, 72:21, 75:22, 79:21, 79:25, 80:3, 80:7, 80:12, 80:15, 84:18, 84:23, 84:25, 87:14, 87:16, 87:19, 87:24, 88:4, 88:6, 89:23, 90:3, 90:5, 91:6, 91:11, 91:13, 92:8, 93:24, 94:25, 95:3, 95:8, 95:10, 97:2, 97:4, 104:22, 105:2, 105:4, 107:20, 107:22, 108:16, 124:2, 124:7, 124:9, 132:14, 132:19, 132:21, 135:3, 135:9, 135:11, 140:10, 140:12, 141:9, 143:20, 144:6, 155:21, 156:23, 157:11, 157:24, 158:3, 158:5, 160:24, 162:6, 164:6, 169:8, 173:8, 186:6, 186:25, 188:14, 189:5, 190:18 MS [76] - 12:13, 12:15, 17:11, 17:16, 17:18, 18:1, 18:24, 29:25, 30:7, 30:12, 30:14, 30:19, 31:14, 32:1, 51:9, 55:6, 55:10, 56:15, 57:4, 57:17, 58:1, 58:23, 59:20, 60:23, 62:23, 73:9, 73:14, 73:16, 76:8, 76:14, 76:19, 76:21,</p>	<p>97:18, 97:23, 98:1, 109:16, 113:9, 113:14, 113:19, 113:22, 114:2, 115:17, 115:22, 115:24, 116:25, 117:5, 117:7, 119:14, 120:9, 120:14, 120:16, 127:8, 127:13, 127:15, 130:23, 131:3, 131:5, 171:1, 171:16, 171:25, 172:9, 172:12, 172:15, 172:18, 173:1, 174:23, 175:12, 175:16, 175:20, 175:23, 175:25, 176:13, 180:6, 183:21, 184:9, 184:13 Mudville [1] - 83:17 multifamily [7] - 43:2, 43:11, 44:13, 49:9, 54:1, 54:12, 57:5 multiple [3] - 77:4, 105:17, 144:8 murdered [1] - 74:15 Murray [1] - 96:3 must [4] - 3:3, 110:14, 125:10, 126:2</p>	<p>nearby [1] - 10:17 nearly [1] - 11:22 neat [1] - 27:15 necessarily [2] - 36:25, 52:23 necessary [4] - 45:9, 82:6, 124:18 need [24] - 8:4, 26:12, 42:25, 55:8, 61:9, 62:8, 62:18, 63:21, 64:20, 66:13, 94:7, 125:1, 128:14, 128:16, 137:18, 137:20, 142:15, 152:5, 158:8, 164:17, 173:2, 175:13, 183:8, 187:3 needed [4] - 3:16, 107:5, 135:22, 155:7 needs [7] - 12:2, 74:22, 75:19, 98:14, 105:17, 165:7, 176:13 negatively [3] - 36:9, 37:1, 38:1 negotiate [1] - 105:9 neighbor [2] - 58:21, 164:15 neighborhood [40] - 8:25, 67:22, 67:25, 78:25, 96:14, 105:8, 107:2, 107:4, 111:1, 111:2, 111:17, 111:19, 111:21, 114:22, 116:1, 116:2, 116:7, 117:12, 117:16, 117:22, 118:23, 121:11, 122:3, 122:20, 128:11, 133:1, 133:3, 133:4, 133:14, 133:16, 133:19, 133:22, 136:5, 138:5, 147:5, 148:15, 160:22, 164:13, 165:2 neighborhood's [1] - 134:16 neighborhoods [1] - 116:5 neighboring [1] - 78:6 neighbors [3] - 50:19, 62:22, 66:16, 81:16, 81:18, 107:16, 134:10, 147:2 Neptune [1] - 64:19 neutral [1] - 144:22 never [4] - 98:25, 118:25, 163:10, 165:20</p>
--	---	---	---	---

**N**

nails [1] - 24:2  
name [28] - 8:7, 11:2,  
14:3, 14:8, 17:2,  
19:25, 33:2, 34:18,  
64:16, 67:11, 72:25,  
76:2, 76:3, 79:23,  
84:10, 89:15,  
104:15, 109:8,  
112:3, 113:3,  
115:10, 120:1,  
123:19, 126:24,  
130:15, 130:17,  
132:7, 180:13  
names [1] - 130:12  
narrow [2] - 50:4,  
52:10  
national [3] - 88:6,  
94:2, 100:18  
naturally [1] - 95:17  
Nature [2] - 172:12,  
172:14  
nature [5] - 133:3,  
171:13, 172:10,  
176:8, 180:12  
near [2] - 16:14,  
111:24

2021-374

<p><b>new</b> [22] - 9:1, 14:1, 15:3, 40:5, 47:8, 49:6, 49:23, 70:1, 78:16, 93:19, 99:14, 105:17, 107:9, 155:2, 155:22, 164:15, 168:16, 171:9, 171:20, 176:7, 187:4, 189:1</p> <p><b>news</b> [2] - 92:23, 98:20</p> <p><b>newspaper</b> [1] - 22:25</p> <p><b>next</b> [19] - 5:15, 7:13, 25:9, 29:20, 43:4, 87:7, 89:11, 90:21, 94:17, 111:21, 119:22, 125:7, 131:6, 141:21, 145:20, 164:22, 166:24, 167:1, 190:24</p> <p><b>nice</b> [3] - 96:8, 122:23, 166:11</p> <p><b>night</b> [7] - 78:20, 80:18, 82:20, 83:3, 128:5, 167:5, 189:11</p> <p><b>nightmare</b> [2] - 125:11, 125:12</p> <p><b>nights</b> [1] - 96:7</p> <p><b>nine</b> [1] - 8:22</p> <p><b>nobody</b> [1] - 162:3</p> <p><b>noise</b> [4] - 71:6, 81:8, 116:8, 133:16</p> <p><b>none</b> [44] - 5:7, 6:8, 9:9, 9:19, 12:20, 13:5, 15:9, 15:19, 18:5, 18:15, 20:25, 28:10, 28:25, 30:23, 31:19, 38:8, 42:7, 45:15, 45:25, 46:16, 47:20, 48:5, 51:2, 53:7, 55:20, 59:14, 61:21, 63:6, 65:6, 65:16, 95:24, 121:2, 126:7, 126:10, 128:24, 134:23, 139:18, 178:16, 183:18, 185:21, 186:17, 187:22, 188:11, 188:18</p> <p><b>nonprofit</b> [2] - 77:4, 98:12</p> <p><b>nonsee</b> [2] - 81:1, 85:22</p> <p><b>nonsee-through</b> [2] - 81:1, 85:22</p> <p><b>nonstop</b> [1] - 80:22</p> <p><b>normal</b> [2] - 80:22, 158:17</p> <p><b>normally</b> [2] - 52:5,</p>	<p>92:4</p> <p><b>Normandy</b> [2] - 10:19, 98:4</p> <p><b>North</b> [7] - 1:8, 5:23, 6:22, 84:12, 91:1, 97:13, 123:22</p> <p><b>north</b> [4] - 10:19, 44:16, 49:22, 171:12</p> <p><b>northbound</b> [1] - 153:13</p> <p><b>northeast</b> [2] - 68:18, 68:20</p> <p><b>Notary</b> [1] - 1:10</p> <p><b>note</b> [3] - 79:3, 94:1, 126:7</p> <p><b>noted</b> [3] - 10:15, 13:21, 16:18</p> <p><b>notes</b> [3] - 32:18, 147:10, 193:11</p> <p><b>nothing</b> [33] - 8:16, 11:14, 14:19, 17:14, 20:11, 30:10, 33:13, 35:4, 44:2, 73:12, 76:17, 80:10, 84:21, 88:2, 90:1, 91:9, 95:6, 97:21, 101:10, 104:25, 109:19, 113:17, 115:20, 117:3, 120:12, 124:5, 127:11, 131:1, 132:17, 138:21, 137:1, 138:14, 189:9</p> <p><b>nothing's</b> [1] - 90:8</p> <p><b>notice</b> [1] - 22:25</p> <p><b>noting</b> [1] - 7:18</p> <p><b>notion</b> [1] - 79:9</p> <p><b>nowhere</b> [1] - 125:24</p> <p><b>number</b> [8] - 43:10, 48:17, 49:3, 50:1, 69:18, 69:19, 71:10, 71:11</p> <p><b>Number</b> [3] - 106:24</p> <p><b>numerous</b> [8] - 78:2, 78:18, 101:18, 130:13, 138:7, 169:5, 190:15</p>	<p>110:3, 110:24</p> <p><b>observations</b> [1] - 134:8</p> <p><b>OF</b> [4] - 1:1, 193:1, 193:3, 193:4</p> <p><b>off-duty</b> [1] - 82:17</p> <p><b>off-ramp</b> [1] - 57:7</p> <p><b>offend</b> [1] - 160:16</p> <p><b>offer</b> [3] - 20:18, 24:2, 174:25</p> <p><b>offered</b> [9] - 24:12, 82:19, 83:2, 83:9, 131:16, 136:7, 144:15, 156:7, 164:18</p> <p><b>offering</b> [1] - 27:21</p> <p><b>office</b> [2] - 61:15, 63:20</p> <p><b>Office</b> [5] - 1:20, 2:22, 63:18, 177:10, 181:15</p> <p><b>officer</b> [3] - 149:25, 150:23, 151:3</p> <p><b>offices</b> [1] - 60:5</p> <p><b>often</b> [2] - 26:16, 93:10</p> <p><b>OGC</b> [1] - 181:10</p> <p><b>old</b> [7] - 19:13, 33:21, 59:7, 99:19, 128:6, 187:4, 189:4</p> <p><b>Old</b> [2] - 5:20, 43:18</p> <p><b>older</b> [1] - 108:11</p> <p><b>on-premises</b> [2] - 19:7, 19:18</p> <p><b>on-ramp</b> [1] - 57:23</p> <p><b>on-site</b> [1] - 137:17</p> <p><b>on-street</b> [3] - 50:9, 52:6, 52:7</p> <p><b>once</b> [4] - 39:6, 118:25, 121:25, 157:19</p> <p><b>one</b> [81] - 3:11, 8:23, 11:21, 12:11, 21:13, 22:21, 22:24, 24:24, 25:2, 26:7, 28:17, 27:2, 32:19, 33:24, 34:4, 36:10, 36:18, 38:20, 38:22, 38:23, 37:22, 39:9, 40:5, 42:23, 44:16, 56:24, 56:25, 57:22, 60:17, 61:4, 62:1, 67:25, 68:4, 75:22, 75:24, 78:12, 79:10, 83:8, 84:25, 86:20, 86:24, 95:22, 99:5, 103:1, 107:1, 107:5, 108:24, 110:10, 111:3, 113:24, 115:4, 116:16,</p>	<p>117:10, 118:5, 124:19, 125:21, 135:25, 136:11, 141:23, 142:7, 143:4, 147:14, 148:5, 148:13, 150:4, 153:3, 161:13, 163:12, 164:19, 164:24, 166:2, 166:16, 167:10, 167:13, 171:10, 172:16, 178:4, 179:13, 179:19, 190:2, 191:2</p> <p><b>One</b> [1] - 149:23</p> <p><b>one-acre</b> [1] - 39:9</p> <p><b>one-third</b> [1] - 44:16</p> <p><b>one-way</b> [1] - 178:4</p> <p><b>ones</b> [4] - 41:13, 56:22, 120:25, 121:2</p> <p><b>online</b> [1] - 98:20</p> <p><b>opacity</b> [1] - 177:11</p> <p><b>opaque</b> [3] - 156:2, 158:1, 163:21</p> <p><b>open</b> [7] - 7:2, 75:5, 84:4, 118:12, 121:10, 156:19, 182:15</p> <p><b>opening</b> [1] - 73:21</p> <p><b>opens</b> [1] - 122:1</p> <p><b>operate</b> [2] - 78:8, 154:3</p> <p><b>operated</b> [1] - 138:3</p> <p><b>operation</b> [3] - 15:4, 138:9, 179:18</p> <p><b>operator</b> [3] - 14:1, 166:22, 166:23</p> <p><b>opinion</b> [11] - 40:8, 93:2, 100:16, 100:17, 131:9, 137:1, 145:16, 152:1, 154:18, 184:19, 185:8</p> <p><b>opponents</b> [1] - 136:21</p> <p><b>opportunities</b> [1] - 106:21</p> <p><b>opportunity</b> [3] - 81:14, 96:19, 134:15</p> <p><b>oppose</b> [2] - 91:22, 131:18</p> <p><b>opposed</b> [26] - 5:11, 9:23, 13:9, 15:23, 18:19, 28:14, 29:4, 31:23, 42:11, 46:4, 46:20, 48:9, 53:12, 59:18, 63:10, 65:20, 103:25, 104:1, 165:14, 176:21, 177:14, 184:3,</p>	<p>186:2, 186:21, 188:1, 188:22</p> <p><b>opposite</b> [2] - 142:13, 145:3</p> <p><b>opposition</b> [8] - 12:12, 21:15, 34:4, 50:18, 62:21, 80:20, 131:21, 145:14</p> <p><b>option</b> [1] - 153:19</p> <p><b>orange</b> [1] - 106:1</p> <p><b>Orange</b> [1] - 124:15</p> <p><b>order</b> [10] - 4:17, 4:18, 5:15, 7:1, 26:12, 75:14, 100:1, 103:24, 104:2, 187:12</p> <p><b>ordinance</b> [2] - 43:6, 47:1</p> <p><b>ordinances</b> [1] - 178:25</p> <p><b>organization</b> [2] - 98:12, 164:10</p> <p><b>organizations</b> [1] - 105:22</p> <p><b>organizing</b> [1] - 167:12</p> <p><b>orient</b> [1] - 49:24</p> <p><b>oriented</b> [2] - 78:17, 118:9</p> <p><b>original</b> [4] - 78:16, 168:1, 172:6, 184:19</p> <p><b>originally</b> [1] - 60:18</p> <p><b>Orthopedic</b> [1] - 77:6</p> <p><b>ostracism</b> [1] - 79:14</p> <p><b>otherwise</b> [4] - 77:21, 121:6, 178:18, 179:6</p> <p><b>ought</b> [1] - 169:22</p> <p><b>Outback</b> [1] - 78:7</p> <p><b>outdoor</b> [12] - 147:20, 157:21, 170:4, 170:8, 170:19, 171:3, 171:4, 171:8, 171:19, 172:3, 174:6, 176:6</p> <p><b>outdoors</b> [1] - 58:20</p> <p><b>outlet</b> [4] - 122:3, 122:5, 122:12, 122:15</p> <p><b>Outlet</b> [2] - 138:21, 156:12</p> <p><b>outrageous</b> [1] - 103:4</p> <p><b>outside</b> [32] - 16:16, 16:22, 29:15, 68:8, 68:9, 68:14, 68:21, 68:24, 69:5, 69:6, 69:7, 69:15, 69:19, 69:20, 69:21, 70:7, 70:13, 71:11, 71:13, 81:13, 82:14, 85:12,</p>
---	--	--	--	--

**O**

**o'clock** [1] - 68:2

**Oak** [3] - 149:20, 149:22, 151:21

**objected** [1] - 102:4

**objection** [1] - 22:5

**objections** [8] - 7:20, 14:4, 16:24, 19:21, 25:20, 29:18, 32:23, 47:10, 64:22

**observance** [2] -

<p>95:13, 118:17, 148:21, 155:25, 156:1, 165:21, 168:12, 168:15 over-parked [3] - 69:18, 71:9, 166:7 overall [1] - 25:1 overflow [5] - 125:8, 125:9, 126:3, 166:2, 166:6 Overlay [1] - 54:5 overlay [3] - 54:17, 56:17, 56:25 overpass [1] - 151:6 own [11] - 14:2, 58:12, 88:12, 88:16, 90:9, 91:24, 102:3, 125:18, 129:7, 174:5, 191:20 owned [1] - 103:5 owner [10] - 8:11, 44:7, 88:14, 91:21, 93:4, 94:3, 108:25, 138:17, 151:11, 157:24 owners [2] - 23:1, 84:25</p>	<p>parking [38] - 32:13, 48:24, 48:25, 49:4, 49:12, 50:3, 50:9, 51:25, 52:6, 52:8, 52:12, 52:13, 52:21, 69:15, 69:16, 70:12, 71:8, 71:9, 88:8, 88:9, 112:8, 117:21, 117:24, 125:9, 125:10, 125:14, 125:23, 126:3, 133:15, 137:18, 140:8, 140:17, 162:11, 162:14, 162:15, 163:2, 166:2, 166:12 Parking [1] - 71:16 Parkinson [1] - 116:14 Parkway [12] - 6:13, 6:17, 6:21, 16:11, 16:14, 17:5, 30:1, 42:19, 48:13, 49:21, 55:7 Parkwood [1] - 94:21 part [13] - 3:13, 21:24, 22:5, 25:1, 54:6, 60:8, 83:19, 114:5, 119:11, 140:25, 147:4, 152:11, 190:14 parte [7] - 62:9, 62:18, 158:8, 158:13, 158:14, 158:23, 159:2 partially [1] - 133:5 participants [1] - 3:10 participated [1] - 98:16 particular [3] - 14:25, 103:24, 137:21 partition [1] - 10:11 party [1] - 107:2 pass [3] - 97:3, 162:12, 164:16 pass-through [1] - 162:12 passenger [1] - 34:1 passes [21] - 5:14, 9:25, 13:11, 15:25, 18:21, 28:16, 29:6, 31:25, 42:13, 46:6, 46:22, 48:11, 53:15, 59:21, 63:12, 177:17, 184:5, 186:4, 186:24, 188:3, 188:25 passionate [1] - 82:9 past [5] - 77:7, 108:15, 111:7, 111:9, 159:3 paste [1] - 171:8</p>	<p>pasting [1] - 171:18 path [1] - 140:16 patience [1] - 11:20 patio [7] - 68:9, 71:6, 81:10, 82:13, 83:8, 85:19, 87:3 PATRICIA [1] - 1:21 patronage [1] - 163:17 patrons [4] - 19:12, 133:13, 163:11, 163:14 pause [1] - 22:8 pave [1] - 105:19 pay [1] - 99:8 pays [1] - 151:4 PBF-1 [1] - 47:5 peace [1] - 79:10 peak [2] - 166:4, 166:10 peaking [1] - 166:13 Pearl [1] - 5:23 pedestrian [4] - 138:7, 153:6, 157:10, 159:13 pedestrian-centric [1] - 153:6 pedestrians [4] - 78:15, 107:25, 124:22, 124:23 peel [1] - 154:1 pee-wee [1] - 78:18 people [88] - 23:18, 58:19, 69:10, 79:12, 81:9, 81:12, 90:16, 91:22, 92:14, 92:17, 93:1, 98:18, 100:12, 102:9, 102:16, 102:22, 103:2, 107:24, 111:14, 114:9, 114:10, 114:12, 116:3, 116:6, 117:17, 117:22, 118:17, 119:2, 119:7, 119:9, 121:11, 122:12, 122:23, 123:2, 125:12, 125:16, 125:20, 126:5, 126:7, 126:9, 126:11, 126:16, 129:9, 129:10, 129:11, 130:1, 131:11, 134:3, 134:9, 136:17, 138:22, 145:2, 145:5, 145:13, 149:12, 149:25, 151:23, 152:2, 153:12, 160:19, 161:4, 163:3, 178:4,</p>	<p>182:17, 182:19 per [5] - 49:3, 93:6, 166:7, 177:5, 181:23 percent [8] - 33:25, 54:12, 74:24, 78:5, 78:8, 83:20, 156:2, 158:1 perfectly [2] - 27:19, 61:2 performed [1] - 134:14 perhaps [2] - 169:6, 173:6 perished [1] - 74:13 permanent [1] - 16:16 permissible [1] - 87:4 permission [1] - 152:5 permitted [2] - 60:2, 64:1 perpendicular [4] - 52:7, 52:13, 52:16, 178:5 person [7] - 3:11, 26:22, 82:21, 129:7, 134:6, 161:7, 166:24 personal [5] - 13:25, 32:13, 40:8, 73:20, 101:20 personally [14] - 41:17, 79:4, 99:5, 155:6, 159:15, 160:3, 163:24, 165:20, 167:10, 168:5, 173:12, 179:22, 179:25, 192:7 perspective [2] - 98:6, 164:8 pertains [1] - 189:7 pharmacies [1] - 60:4 Phase [2] - 6:21, 48:13 Phillips [1] - 27:2 phone [5] - 62:13, 68:6, 80:18, 99:20, 99:24 phones [1] - 2:7 pick [1] - 174:12 picking [1] - 119:2 picnic [8] - 69:5, 69:10, 81:11, 82:16, 142:4, 168:12 picture [1] - 61:9 pictures [1] - 36:13 piece [4] - 24:21, 25:2, 145:19, 145:21 pies [2] - 119:2, 119:3 pinch [1] - 67:9 pinch-hitting [1] - 67:9</p>	<p>Pizza [1] - 16:21 place [27] - 2:6, 3:4, 71:19, 71:22, 74:7, 79:11, 100:12, 100:19, 107:24, 108:3, 111:23, 114:24, 117:23, 117:24, 119:9, 133:15, 138:25, 145:22, 148:17, 149:12, 153:16, 159:13, 161:12, 170:3, 182:20, 183:7, 191:22 places [5] - 114:22, 118:20, 122:25, 145:9, 166:3 plan [45] - 52:7, 52:19, 58:10, 68:3, 68:13, 68:16, 68:25, 70:1, 81:5, 81:19, 83:7, 85:17, 107:10, 119:9, 119:11, 125:9, 125:25, 126:3, 137:4, 140:6, 142:1, 151:15, 153:18, 155:22, 155:24, 156:4, 156:25, 158:10, 168:16, 169:10, 169:12, 170:1, 170:8, 170:9, 170:18, 171:9, 171:15, 171:19, 171:20, 171:22, 172:2, 172:6, 172:20, 176:4, 176:5 Plan [4] - 49:9, 54:10, 64:4, 136:2 Planned [3] - 48:15, 53:21, 63:17 planned [1] - 98:16 PLANNING [1] - 1:2 planning [2] - 102:7, 132:23 Planning [18] - 1:18, 1:19, 1:19, 1:20, 1:21, 2:5, 2:21, 3:21, 4:5, 4:7, 10:15, 13:23, 19:8, 66:12, 180:19, 189:17, 190:14, 191:22 plans [7] - 78:19, 87:1, 102:5, 117:20, 126:1, 126:2, 136:24 plant [1] - 131:16 planters [1] - 182:13 play [8] - 24:15, 99:18, 99:23, 102:23, 121:16, 121:20, 2021-374</p>
--	--	--	--	--

**P**

<p>121:24, 122:2  <b>Players</b> [1] - 83:17  <b>playing</b> [1] - 112:6  <b>Pledge</b> [2] - 2:10, 2:12  <b>plenty</b> [4] - 52:15, 118:20, 118:21  <b>plus</b> [2] - 148:15, 162:24  <b>pocket</b> [1] - 99:8  <b>podium</b> [3] - 7:23, 11:1, 14:7, 17:1, 19:24, 29:23, 33:1, 34:9, 37:13, 43:15, 49:17, 55:4, 60:21, 64:15, 67:5, 72:24, 76:1, 79:20, 84:9, 87:9, 89:13, 90:23, 94:19, 97:11, 100:24, 104:5, 109:7, 113:2, 115:9, 116:18, 119:24, 123:18, 126:23, 130:14, 135:6, 141:18  <b>Point</b> [2] - 16:14, 16:21  <b>point</b> [28] - 39:11, 41:18, 41:24, 72:9, 72:18, 107:6, 111:18, 121:6, 126:4, 131:22, 134:1, 135:23, 138:19, 140:21, 143:18, 146:18, 153:10, 153:21, 155:18, 156:9, 156:17, 163:10, 172:16, 174:10, 179:12, 180:7, 180:18, 184:14  <b>pointed</b> [1] - 107:23  <b>pointedly</b> [1] - 160:15  <b>points</b> [1] - 135:12  <b>police</b> [3] - 149:25, 150:23, 151:3  <b>Policy</b> [1] - 137:15  <b>policy</b> [1] - 137:21  <b>Pony</b> [2] - 7:11, 7:12  <b>popular</b> [2] - 28:1, 166:4  <b>Porter</b> [11] - 2:17, 155:15, 158:12, 159:7, 168:19, 172:24, 173:6, 175:1, 176:9, 177:2, 181:12  <b>PORTER</b> [11] - 1:15, 155:16, 158:18, 157:2, 157:12, 158:2, 158:4, 158:6,</p>	<p>176:10, 177:3, 181:11  <b>Porter's</b> [1] - 172:21  <b>position</b> [4] - 25:7, 129:14, 174:21, 178:15  <b>positioned</b> [1] - 85:20  <b>positive</b> [2] - 94:11, 142:19  <b>possible</b> [5] - 80:17, 82:7, 83:10, 93:22, 189:6  <b>posted</b> [8] - 22:9, 22:10, 22:11, 22:12, 22:13, 22:17, 23:4, 23:6, 105:25  <b>posting</b> [1] - 22:24  <b>posture</b> [7] - 51:18, 170:16, 174:17, 174:20, 176:7, 176:24, 184:6  <b>Pot</b> [1] - 16:20  <b>potential</b> [1] - 77:18  <b>potentially</b> [1] - 157:8  <b>power</b> [1] - 191:20  <b>powers</b> [1] - 190:16  <b>prayer</b> [1] - 74:11  <b>precaution</b> [1] - 160:13  <b>precautiously</b> [1] - 160:12  <b>precedent</b> [3] - 148:2, 148:20, 148:23  <b>preclusion</b> [1] - 174:1  <b>prediction</b> [1] - 118:7  <b>prefer</b> [1] - 27:22  <b>premises</b> [3] - 19:7, 19:18, 82:11  <b>prepared</b> [1] - 169:4  <b>preposterous</b> [1] - 111:22  <b>present</b> [4] - 2:15, 45:4, 103:22, 130:1  <b>PRESENT</b> [2] - 1:12, 1:17  <b>presentation</b> [3] - 3:1, 3:13, 105:18  <b>presented</b> [4] - 90:13, 107:9, 133:11, 141:8  <b>President</b> [1] - 191:12  <b>president</b> [1] - 191:21  <b>pressed</b> [2] - 136:16, 146:10  <b>pretext</b> [1] - 135:19  <b>pretty</b> [4] - 16:7, 58:11, 100:5, 166:3  <b>previous</b> [4] - 29:14, 151:15, 171:15, 171:18  <b>previously</b> [8] - 8:25,</p>	<p>10:16, 13:22, 13:23, 15:2, 19:8  <b>prices</b> [1] - 94:12  <b>primary</b> [3] - 40:18, 41:12, 42:1  <b>Prime</b> [1] - 19:10  <b>principal</b> [1] - 39:3  <b>privacy</b> [2] - 81:15, 81:23  <b>problem</b> [8] - 27:9, 41:17, 87:19, 102:20, 121:14, 138:4, 150:9, 150:11, 157:18  <b>problems</b> [1] - 138:7  <b>Proceedings</b> [1] - 1:6  <b>proceedings</b> [3] - 187:10, 192:21, 193:9  <b>process</b> [3] - 98:17, 131:10, 175:3  <b>proclivity</b> [2] - 160:4, 167:4  <b>product</b> [3] - 50:6, 51:23, 157:16  <b>Professional</b> [2] - 193:7, 193:19  <b>professional</b> [1] - 60:5  <b>profitable</b> [1] - 83:11  <b>program</b> [1] - 74:15  <b>prohibited</b> [1] - 60:7  <b>project</b> [18] - 12:1, 55:11, 55:12, 55:14, 56:16, 56:19, 58:21, 57:24, 59:4, 80:16, 82:7, 83:10, 118:6, 131:18, 131:21, 136:1, 136:18, 141:4, 146:4  <b>projects</b> [2] - 56:18, 137:20  <b>pronouncing</b> [1] - 123:16  <b>proper</b> [1] - 191:18  <b>properties</b> [4] - 7:17, 36:15, 39:11, 40:7  <b>property</b> [50] - 7:4, 7:14, 8:11, 10:9, 10:17, 13:18, 13:22, 19:9, 23:1, 24:4, 29:10, 32:7, 32:19, 35:19, 36:8, 36:17, 36:22, 37:19, 38:25, 39:3, 40:3, 40:6, 44:14, 47:1, 47:4, 49:21, 54:16, 58:8, 58:13, 66:10, 85:1, 85:3, 85:7, 86:21, 86:22, 86:24, 90:5, 90:16, 91:21,</p>	<p>106:16, 107:13, 131:7, 137:7, 138:20, 142:10, 154:14, 154:20, 154:22, 156:21, 191:17  <b>proposal</b> [1] - 134:12  <b>proposed</b> [10] - 16:18, 32:21, 54:13, 54:20, 77:12, 78:3, 78:17, 138:1, 138:14, 168:17  <b>proposing</b> [3] - 49:6, 49:11, 169:12  <b>protect</b> [1] - 131:12  <b>protections</b> [3] - 24:12, 24:25, 25:4  <b>protocols</b> [1] - 182:24  <b>proud</b> [1] - 85:13  <b>provide</b> [2] - 2:23, 177:20  <b>provided</b> [2] - 107:24, 178:2  <b>providers</b> [1] - 148:11  <b>provision</b> [1] - 24:10  <b>provisions</b> [2] - 86:25, 137:16  <b>proximity</b> [2] - 148:1, 148:8  <b>psychological</b> [1] - 102:18  <b>psychologist</b> [1] - 101:16  <b>public</b> [28] - 2:24, 3:14, 3:17, 4:10, 7:2, 9:10, 12:21, 15:10, 18:6, 21:1, 30:24, 38:9, 45:16, 47:21, 51:3, 55:21, 61:22, 65:7, 70:8, 71:19, 75:16, 96:24, 97:8, 104:13, 110:15, 134:24, 139:19, 159:18  <b>Public</b> [4] - 1:10, 1:21, 2:19, 134:17  <b>Publix</b> [1] - 83:1  <b>PUD</b> [23] - 43:1, 44:15, 44:18, 48:16, 48:20, 49:2, 49:9, 50:15, 50:16, 53:22, 53:25, 54:3, 59:24, 59:25, 60:3, 60:6, 60:9, 60:18, 63:19, 63:21, 64:9  <b>PUDs</b> [1] - 42:24  <b>pull</b> [4] - 114:12, 147:11, 149:15, 149:19  <b>pulling</b> [1] - 149:22</p>	<p><b>purchase</b> [2] - 44:9, 154:19  <b>purchased</b> [1] - 165:6  <b>purpose</b> [2] - 73:18, 99:6  <b>purposes</b> [2] - 139:22, 140:1  <b>pursuant</b> [1] - 12:4  <b>purview</b> [3] - 168:8, 178:15, 179:17  <b>push</b> [2] - 57:12, 162:2  <b>put</b> [20] - 71:19, 71:22, 82:2, 85:22, 80:14, 108:12, 108:16, 122:8, 122:10, 138:20, 138:25, 142:7, 146:15, 150:14, 157:6, 157:15, 159:13, 161:17, 178:17  <b>puts</b> [2] - 168:6, 170:2  <b>putting</b> [5] - 81:19, 133:1, 167:25, 171:20, 191:2</p>
<b>Q</b>				
<p><b>quality</b> [1] - 94:13  <b>quasi</b> [1] - 3:19  <b>quasi-judicial</b> [1] - 3:19  <b>questioning</b> [1] - 143:16  <b>questions</b> [18] - 4:13, 12:7, 17:22, 30:17, 35:23, 44:20, 45:8, 50:21, 55:15, 61:16, 64:25, 72:9, 72:17, 84:4, 105:25, 124:10  <b>quick</b> [4] - 40:25, 61:14, 62:20, 149:3  <b>quickly</b> [1] - 39:25  <b>quiet</b> [4] - 105:6, 116:2, 117:16, 117:18  <b>quite</b> [8] - 31:12, 37:21, 57:8, 57:17, 116:9, 158:17  <b>quorum</b> [1] - 2:14  <b>quote</b> [1] - 144:20  <b>quoted</b> [1] - 185:5</p>				
<b>R</b>				
<p><b>rabbi</b> [7] - 82:3, 104:7, 106:10, 131:5, 140:21, 140:24, 144:22  <b>Rabbi</b> [1] - 102:8</p>				

<p>144:7, 144:18,          144:20  <b>rabbis</b> [1] - 102:3  <b>RADAR</b> [1] - 57:19  <b>radius</b> [1] - 81:3  <b>railing</b> [1] - 68:23  <b>raise</b> [28] - 11:9,          14:14, 17:9, 20:6,          30:5, 33:8, 34:24,          43:22, 73:7, 76:12,          80:5, 84:16, 87:22,          89:21, 91:4, 95:1,          97:16, 101:5,          104:20, 109:14,          113:12, 115:15,          116:23, 120:7,          123:25, 127:6,          130:21, 132:12,          151:7  <b>raised</b> [2] - 74:4,          147:7  <b>raiser</b> [4] - 99:6,          159:15, 168:7, 174:8  <b>raising</b> [5] - 68:1,          77:3, 98:13, 98:16,          99:17  <b>ramp</b> [3] - 57:7, 57:11,          57:23  <b>Ramzy</b> [3] - 84:7,          84:12, 161:13  <b>random</b> [1] - 83:22  <b>RANDY</b> [1] - 1:21  <b>Randy</b> [1] - 2:19  <b>rarely</b> [2] - 146:13,          146:14  <b>rather</b> [3] - 27:7,          173:24, 190:8  <b>ratio</b> [1] - 78:8  <b>Ray</b> [1] - 43:17  <b>razor</b> [1] - 93:10  <b>reach</b> [1] - 105:21  <b>reaction</b> [1] - 27:16  <b>read</b> [7] - 6:6, 70:24,          92:21, 96:23,          136:10, 180:16,          181:9  <b>ready</b> [3] - 36:20,          131:18, 132:3  <b>real</b> [8] - 51:22, 56:17,          56:19, 91:25,          135:15, 135:17  <b>realistic</b> [1] - 118:7  <b>realize</b> [7] - 92:1,          109:25, 110:21,          121:23, 122:15,          149:13, 164:16  <b>really</b> [40] - 11:24,          27:14, 44:12, 55:10,          58:14, 58:17, 61:14,          81:18, 84:2, 88:9,</p>	<p>89:7, 106:7, 107:20,          112:9, 128:9, 129:1,          129:2, 132:25,          141:25, 144:14,          144:23, 146:1,          147:13, 153:3,          153:10, 154:1,          154:5, 154:25,          155:5, 157:9,          159:23, 160:8,          163:25, 164:19,          164:21, 167:1,          168:20, 179:20,          182:7  <b>rear</b> [1] - 41:16  <b>rearrange</b> [1] - 162:11  <b>reason</b> [14] - 24:25,          25:14, 44:18, 49:25,          50:10, 121:4,          122:22, 125:2,          137:9, 138:23,          149:1, 149:10,          159:19, 162:8  <b>reasonable</b> [2] -          26:21, 151:14  <b>reasons</b> [4] - 70:8,          120:16, 136:25,          150:4  <b>rebuilt</b> [1] - 24:19  <b>rebuttal</b> [4] - 34:5,          37:12, 72:10, 135:4  <b>receive</b> [1] - 27:20  <b>received</b> [2] - 78:10,          108:24  <b>recent</b> [2] - 170:17,          176:4  <b>recently</b> [3] - 68:1,          68:4, 69:24  <b>recess</b> [4] - 119:19,          187:1, 187:7, 187:11  <b>recipe</b> [1] - 153:17  <b>Recitation</b> [1] - 2:12  <b>recte</b> [1] - 2:9  <b>recognizes</b> [1] - 77:18  <b>recommend</b> [8] - 7:20,          16:24, 29:20, 32:24,          47:10, 66:19  <b>recommendation</b> [10]          - 10:22, 14:5, 17:22,          19:22, 30:16, 34:2,          54:19, 57:16,          152:13, 189:18  <b>recommendations</b> [3]          - 3:24, 3:25, 4:5  <b>recommended</b> [1] -          8:22  <b>recommending</b> [5] -          43:13, 49:13, 54:24,          60:15, 64:11  <b>reconvene</b> [2] -</p>	<p>119:17, 119:21  <b>record</b> [21] - 2:13, 3:2,          3:14, 8:2, 11:3, 22:2,          43:17, 51:12, 73:1,          93:23, 96:24, 97:9,          104:13, 109:9,          110:12, 110:15,          110:18, 120:2,          123:20, 135:13,          193:10  <b>Record</b> [1] - 165:11  <b>recording</b> [1] - 16:6  <b>recreational</b> [1] -          79:13  <b>Red</b> [1] - 148:6  <b>reduce</b> [2] - 7:19,          169:19  <b>reduction</b> [1] - 155:25  <b>REED</b> [1] - 1:19  <b>refer</b> [2] - 134:15,          179:6  <b>reference</b> [2] - 141:7,          168:16  <b>reflect</b> [2] - 2:13,          36:25  <b>reflected</b> [1] - 169:12  <b>refreshments</b> [1] -          20:18  <b>regard</b> [1] - 67:10  <b>regarding</b> [4] - 4:13,          71:6, 188:6, 190:6  <b>regardless</b> [1] - 39:7  <b>Regency</b> [1] - 29:12  <b>regular</b> [1] - 126:12  <b>regulated</b> [1] - 83:20  <b>regulation</b> [3] - 92:6,          135:16, 166:7  <b>Regulations</b> [1] -          136:4  <b>regulatory</b> [1] - 93:21  <b>relate</b> [1] - 68:10  <b>related</b> [4] - 106:6,          129:12, 171:19,          183:25  <b>relates</b> [3] - 137:22,          171:23, 176:6  <b>relating</b> [1] - 68:7  <b>relationship</b> [2] -          141:20, 142:24  <b>relative</b> [1] - 32:10  <b>relax</b> [1] - 56:14  <b>relaxation</b> [3] - 54:3,          56:11, 57:22  <b>relaxations</b> [2] -          56:23, 57:14  <b>relevantly</b> [1] - 141:11  <b>religion</b> [1] - 153:4  <b>religious</b> [4] - 110:2,          110:24, 112:18,          112:19</p>	<p><b>relocated</b> [1] - 68:14  <b>remain</b> [2] - 2:10,          174:2  <b>remarkable</b> [4] -          136:11, 136:14,          136:22  <b>remember</b> [2] - 58:7,          95:11  <b>remind</b> [2] - 27:1,          166:21  <b>reminder</b> [1] - 66:19  <b>remiss</b> [1] - 158:13  <b>removed</b> [2] - 81:10,          183:10  <b>renderings</b> [3] - 52:2,          54:20, 54:22  <b>Renew</b> [3] - 54:4,          54:17, 54:18  <b>repeat</b> [2] - 163:17,          175:5  <b>repeated</b> [2] - 106:5,          108:22  <b>repeatedly</b> [3] -          109:25, 110:22,          118:3  <b>replace</b> [2] - 33:20,          77:20  <b>replaced</b> [1] - 108:1  <b>replacing</b> [2] - 40:4,          108:2  <b>report</b> [17] - 9:2,          10:15, 13:21, 16:19,          40:20, 41:25, 49:15,          50:14, 51:10, 62:1,          64:23, 66:14,          105:16, 106:5,          110:14, 133:20,          193:9  <b>Reporter</b> [2] - 193:8,          193:19  <b>reporter</b> [5] - 3:9,          16:5, 16:9, 75:18,          110:14, 113:25  <b>REPORTER</b> [88] -          8:14, 8:19, 11:9,          11:12, 11:17, 14:14,          14:17, 14:22, 17:9,          17:12, 17:17, 20:6,          20:9, 20:14, 30:5,          30:8, 30:13, 33:8,          33:11, 33:16, 34:24,          35:2, 35:7, 43:22,          43:25, 44:5, 73:7,          73:10, 73:15, 76:12,          76:15, 76:20, 80:5,          80:8, 80:13, 84:16,          84:19, 84:24, 87:22,          87:25, 88:5, 89:21,          89:24, 90:4, 91:4,          91:7, 91:12, 95:1,</p>	<p>95:4, 95:9, 97:16,          97:19, 97:25, 101:5,          101:8, 101:13,          104:20, 104:23,          105:3, 109:14,          109:17, 109:22,          113:12, 113:15,          113:20, 115:6,          115:15, 115:18,          115:23, 116:23,          117:1, 117:6, 120:7,          120:10, 120:15,          123:25, 124:3,          124:8, 127:6, 127:9,          127:14, 130:21,          130:24, 131:4,          132:12, 132:15,          132:20, 193:1  <b>repositioned</b> [1] -          165:8  <b>representative</b> [1] -          2:19  <b>representatives</b> [2] -          67:22, 69:3  <b>representing</b> [2] -          8:11, 107:4  <b>represents</b> [2] - 74:12,          79:7  <b>request</b> [14] - 10:10,          16:16, 29:14, 44:12,          70:5, 70:9, 80:20,          82:18, 83:5, 83:14,          105:20, 108:1,          111:5, 125:4  <b>requested</b> [2] - 81:4,          165:21  <b>requesting</b> [7] - 7:7,          13:19, 19:6, 34:15,          49:2, 57:6, 63:24  <b>requests</b> [4] - 10:18,          71:3, 99:3, 106:24  <b>require</b> [3] - 54:11,          131:13, 156:8  <b>required</b> [1] - 140:15  <b>requirement</b> [2] -          23:2, 88:9  <b>requirements</b> [3] -          86:16, 112:4, 191:2  <b>requires</b> [2] - 56:25,          86:19  <b>research</b> [3] - 80:24,          95:24, 108:7  <b>reservations</b> [2] -          152:23, 179:20  <b>reserve</b> [1] - 72:10  <b>resided</b> [2] - 77:9,          77:23  <b>residence</b> [2] - 40:18,          42:1  <b>residences</b> [1]</p>
---	--	---	---	--

<p>133:23 resident [4] - 98:5, 99:13, 100:13, 100:17 residential [15] - 7:16, 29:20, 48:18, 71:17, 111:20, 112:17, 114:21, 114:23, 120:21, 133:14, 133:22, 145:19, 145:21, 154:14, 154:20 residents [7] - 38:2, 85:14, 99:9, 107:5, 112:15, 146:9, 163:13 residents' [3] - 85:18, 85:25, 87:2 resolve [1] - 133:18 resolved [1] - 133:5 respect [3] - 75:18, 108:23, 169:13 respectfully [2] - 23:15, 94:14 response [70] - 5:6, 5:12, 6:7, 9:8, 9:18, 9:24, 12:19, 13:4, 13:10, 15:8, 15:18, 15:24, 18:4, 18:14, 18:20, 20:24, 28:9, 28:15, 28:24, 29:5, 30:22, 31:18, 31:24, 38:7, 42:6, 42:12, 45:14, 45:24, 46:5, 46:15, 48:21, 47:19, 48:4, 48:10, 51:1, 53:6, 53:13, 55:19, 59:2, 59:13, 59:19, 61:20, 62:7, 63:5, 63:11, 65:5, 65:15, 65:21, 103:17, 116:15, 123:8, 123:10, 134:22, 139:17, 176:22, 177:15, 183:17, 184:4, 185:20, 186:3, 186:16, 186:22, 187:21, 188:2, 188:10, 188:17, 188:23, 189:3, 191:8, 192:17 responsibly [1] - 185:15 rest [4] - 24:22, 83:22, 168:3, 168:24 restaurant [39] - 7:9, 16:18, 16:21, 60:13, 73:22, 75:6, 75:9, 77:20, 78:12, 78:17, 79:11, 82:18, 83:15,</p>	<p>85:12, 85:16, 86:8, 88:14, 89:1, 93:10, 98:18, 98:20, 99:15, 103:5, 108:3, 112:3, 125:16, 125:20, 125:21, 128:1, 129:7, 129:8, 129:12, 135:14, 138:11, 143:23, 149:14, 151:23, 152:2, 154:10 restaurants [10] - 19:17, 22:1, 24:17, 25:10, 60:1, 60:7, 78:3, 80:22, 88:12, 88:25, 93:14, 94:10, 120:23, 147:23, 162:23 restrictions [2] - 39:13, 48:20 result [4] - 69:1, 69:22, 70:17, 77:17 resulting [1] - 10:12 retail [5] - 7:7, 19:6, 54:2, 60:3, 86:23 retain [1] - 3:15 return [1] - 191:11 returned [1] - 191:17 revenue [3] - 78:5, 93:5, 93:22 reversing [1] - 170:18 review [5] - 8:23, 137:11, 137:15, 155:17, 180:19 Review [1] - 54:18 reviewed [2] - 49:7, 54:8 revise [1] - 43:7 revised [3] - 68:3, 169:10, 172:2 revisions [1] - 157:25 revitalize [1] - 59:6 rezone [1] - 47:4 rezoned [2] - 15:4, 64:9 rezoning [8] - 6:18, 48:16, 48:17, 53:22, 54:6, 59:24, 63:18, 63:19 rezonings [2] - 3:23, 189:18 Richard [1] - 109:2 right-of-way [1] - 52:15 right-of-ways [1] - 49:1 rights [1] - 180:5 risk [1] - 123:17 Riverplace [2] - 49:20, 67:13</p>	<p>Riverport [1] - 97:13 Riverside [1] - 96:3 RMD [1] - 47:5 RMD-A [1] - 47:5 Road [83] - 5:19, 5:20, 5:21, 5:24, 5:25, 6:11, 6:16, 6:19, 6:23, 6:24, 8:11, 10:6, 10:9, 29:8, 29:11, 32:5, 32:8, 32:9, 32:20, 33:5, 35:17, 35:20, 36:18, 37:25, 38:6, 43:18, 46:24, 47:2, 47:3, 47:14, 76:8, 81:6, 85:21, 85:24, 95:21, 96:1, 96:5, 96:10, 100:13, 104:17, 105:8, 106:18, 109:11, 111:7, 111:16, 112:15, 112:17, 113:6, 114:4, 116:7, 133:9, 133:17, 133:24, 149:9, 177:21, 178:3, 180:17, 183:12, 187:16, 187:19, 188:5 road [12] - 23:20, 37:20, 49:1, 77:25, 147:2, 148:16, 150:8, 150:15, 151:1, 151:3, 151:4, 157:7 roads [1] - 179:16 Robert's [1] - 192:9 Rogozinski [10] - 73:3, 74:3, 76:4, 76:5, 76:6, 76:23, 77:5, 77:6, 79:3, 103:8 ROGOZINSKI [7] - 73:9, 73:14, 73:16, 76:8, 76:14, 76:19, 76:21 role [1] - 159:16 roles [1] - 99:1 roll [1] - 175:3 rolls [1] - 165:6 Room [1] - 1:8 roughly [1] - 52:25 route [1] - 168:10 rule [1] - 182:20 Rules [1] - 192:9 rules [2] - 75:14, 190:22 run [5] - 77:6, 162:6, 162:25, 166:23, 185:14 RV [2] - 32:13, 33:25</p>	<p><b>S</b> Sabbath [5] - 114:6, 114:12, 150:17, 150:25, 173:20 sac [3] - 112:6, 121:16, 121:18 safe [3] - 111:1, 117:16, 128:15 safety [1] - 185:15 safer [2] - 96:15, 179:18 safety [17] - 70:8, 72:4, 78:25, 98:17, 98:21, 99:7, 107:23, 117:19, 126:18, 126:19, 133:2, 133:19, 159:18, 161:12, 182:24, 184:24, 185:12 Safety [1] - 134:17 sake [5] - 4:19, 16:8, 113:25, 160:15, 182:22 sale [3] - 7:8, 16:16, 19:6 Sales [3] - 3:5, 4:16, 104:14 SALES [3] - 1:21, 12:13, 12:15 sales [11] - 29:15, 60:4, 68:8, 69:5, 69:7, 97:8, 112:3, 138:12, 189:7, 189:13, 190:7 Salisbury [3] - 5:19, 187:16, 187:19 San [31] - 6:11, 6:24, 19:5, 66:7, 66:11, 68:15, 77:22, 77:24, 95:15, 95:16, 96:3, 96:10, 98:22, 107:11, 111:4, 112:16, 114:13, 118:1, 120:23, 122:4, 133:21, 137:8, 140:7, 145:16, 150:9, 153:13, 153:22, 163:15, 164:23, 182:17, 182:19 Sandberg [2] - 115:8, 115:11 SANDBERG [3] - 115:17, 115:22, 115:24 Sandy [1] - 147:1 Santana [2] - 149:5, 167:15 SANTANA [1] - 1:20</p>	<p>Sarah [2] - 109:6, 109:10 sat [2] - 85:1, 138:18 satisfy [1] - 183:8 Saturday [2] - 112:9, 121:16 Saturdays [1] - 126:12 saw [5] - 37:7, 98:20, 105:25, 136:18, 149:10 scared [3] - 160:21, 163:19 scary [1] - 191:25 scheduling [1] - 4:19 School [1] - 75:3 school [9] - 74:3, 101:25, 111:5, 111:22, 112:11, 127:24, 151:1, 151:2, 151:4 school/synagogue [1] - 121:2 schools [4] - 111:3, 111:24, 112:19, 144:4 Schools [2] - 1:21, 2:19 scooter [1] - 112:5 scooters [1] - 128:12 scope [1] - 41:22 Scott [3] - 90:10, 117:25, 149:22 scratching [2] - 25:21, 58:8 screening [2] - 81:23, 85:25 seating [19] - 16:22, 68:14, 68:21, 70:13, 147:20, 148:22, 155:25, 165:21, 168:13, 168:15, 170:4, 170:8, 170:19, 171:3, 171:8, 171:13, 171:19, 172:3, 176:8 seats [5] - 69:15, 69:18, 69:19, 71:10, 71:12 second [83] - 5:1, 5:3, 5:8, 9:14, 9:16, 9:20, 12:25, 13:2, 13:6, 15:14, 15:16, 15:20, 18:10, 18:12, 18:16, 21:5, 21:7, 26:22, 28:11, 28:20, 28:22, 29:1, 31:3, 31:4, 31:20, 38:13, 38:15, 40:25, 42:8, 45:20, 45:22, 46:1, 46:11, 46:13, 46:17, 47:25, 2024-374</p>
---	--	--	---	--



<p>48:2, 48:6, 51:7, 51:19, 53:8, 55:25, 56:2, 59:15, 62:2, 62:4, 63:7, 65:11, 65:13, 65:17, 110:11, 113:24, 139:23, 139:25, 147:19, 170:14, 170:16, 174:19, 175:10, 175:19, 176:3, 176:24, 177:6, 177:8, 177:22, 177:23, 177:24, 178:1, 181:11, 181:13, 183:19, 183:24, 184:7, 185:22, 186:12, 186:14, 186:18, 187:17, 187:18, 187:23, 188:6, 188:8, 188:19 secondly [3] - 135:21, 137:14, 137:24 seconds [1] - 98:12 Secretary [1] - 1:13 Section [1] - 86:15 section [2] - 156:19, 157:4 sections [1] - 54:4 security [12] - 79:1, 82:20, 96:7, 96:11, 98:13, 98:15, 99:4, 99:9, 106:15, 144:8, 144:16, 164:19 see [42] - 4:14, 18:22, 23:21, 26:16, 27:24, 31:11, 38:1, 40:16, 41:22, 52:5, 58:18, 61:9, 66:18, 68:13, 68:19, 68:24, 70:1, 81:5, 82:1, 87:12, 100:18, 105:10, 133:9, 138:24, 137:5, 142:8, 144:23, 146:13, 146:14, 153:20, 161:8, 161:16, 163:10, 163:14, 166:15, 168:13, 173:4, 179:22, 182:9, 182:10, 191:12, 191:15 seeing [41] - 5:7, 6:8, 9:9, 9:19, 12:20, 13:5, 15:9, 15:19, 18:5, 18:15, 20:25, 28:10, 28:25, 30:23, 31:19, 38:8, 42:7, 45:15, 45:25, 46:16, 47:20, 48:5, 51:2,</p>	<p>53:7, 55:20, 59:14, 61:21, 63:6, 65:6, 65:16, 134:23, 139:18, 147:21, 170:5, 183:18, 185:21, 186:17, 187:22, 188:11, 188:18, 192:18 seeking [5] - 32:9, 43:2, 47:4, 83:13, 88:15 seem [2] - 111:23, 121:5 select [1] - 85:10 selfish [1] - 127:20 sell [4] - 27:5, 27:7, 27:22, 190:23 selling [2] - 26:11, 27:22 Semitism [5] - 79:4, 79:8, 103:3, 103:6, 103:10 send [2] - 23:1, 169:9 sense [5] - 39:17, 57:24, 74:6, 141:6, 170:25 sensitive [1] - 74:22 sent [1] - 106:10 separate [2] - 24:22, 157:10 separately [1] - 176:14 septic [1] - 12:2 serious [1] - 83:24 seriously [1] - 84:3 serve [8] - 19:12, 20:17, 25:11, 69:10, 70:14, 83:18, 98:11, 147:16, 152:5 served [1] - 98:15 serves [1] - 26:8 Service [1] - 134:16 service [20] - 16:17, 19:6, 20:16, 27:21, 29:15, 54:2, 61:14, 69:5, 69:7, 78:6, 87:3, 98:20, 162:22, 163:7, 171:13, 172:8, 172:11, 172:13, 180:17 services [4] - 60:4, 102:12, 102:19, 162:13 serving [1] - 19:17 session [1] - 187:13 set [4] - 36:1, 137:11, 168:16, 179:17 setback [1] - 39:4 setbacks [1] - 32:22 settled [1] - 11:24</p>	<p>seven [4] - 127:21, 128:23, 150:12, 169:6 several [10] - 27:1, 67:20, 67:25, 68:6, 91:24, 102:10, 118:12, 119:9, 131:11, 136:25 shaded [1] - 140:6 shall [7] - 48:21, 48:23, 137:16, 172:4, 180:18, 186:25 sham [1] - 135:18 share [1] - 166:9 shared [2] - 106:20, 108:10 sharing [1] - 166:8 shawl [1] - 74:11 shelves [1] - 190:24 Sherry [2] - 103:19, 103:21 ship [1] - 185:14 shipping [1] - 58:17 shop [3] - 24:1, 26:9, 27:2 shopping [16] - 16:21, 19:13, 19:16, 21:25, 24:11, 24:15, 24:22, 25:1, 25:9, 53:23, 56:9, 60:25, 61:13, 86:12, 180:25, 191:5 short [1] - 114:6 shot [3] - 58:14, 167:8, 182:17 show [8] - 83:24, 83:25, 96:12, 100:4, 140:10, 156:25, 157:11, 158:14, 165:6 showed [2] - 142:2, 142:3 showing [1] - 36:14 shown [1] - 170:19 shows [1] - 153:2 shrink [1] - 165:21 sie [7] - 6:19, 41:21, 46:24, 47:14, 56:25, 111:12, 160:12 sie [1] - 123:15 slide [1] - 34:15, 35:17, 52:17, 61:6, 70:4, 73:20, 85:20, 85:23, 107:15, 140:8, 152:13 slides [1] - 66:24 sidewalk [8] - 70:2, 70:8, 70:11, 81:20, 118:21, 122:8, 122:11, 140:16</p>	<p>sidewalks [1] - 50:8 Sifakis [1] - 59:9 sign [10] - 22:24, 23:4, 28:14, 102:5, 108:12, 108:16, 146:3, 178:24, 180:13, 182:14 sign-off [1] - 26:14 signage [12] - 126:2, 138:21, 156:8, 156:11, 168:20, 177:20, 178:2, 178:22, 180:17, 180:22, 181:22, 183:25 signalized [2] - 139:5, 164:23 signs [8] - 22:8, 22:17, 71:16, 108:1, 180:10, 182:16 silence [1] - 2:11 silent [3] - 2:7, 16:7, 92:25 Silhouette [2] - 80:3, 101:1 similar [12] - 10:18, 37:22, 43:9, 54:21, 64:9, 83:17, 86:11, 120:24, 134:1, 180:16, 181:4 simple [1] - 192:10 simply [2] - 62:10, 92:17 Simultaneous [1] - 41:4 sincerely [1] - 118:5 sit [4] - 88:8, 152:2, 162:22, 179:13 sit-down [1] - 162:22 site [54] - 22:21, 25:17, 44:17, 47:7, 49:23, 50:4, 50:16, 52:7, 52:8, 52:10, 52:19, 58:10, 68:3, 68:13, 68:25, 70:1, 70:24, 71:9, 77:13, 81:18, 85:17, 118:23, 136:24, 137:4, 137:6, 137:17, 137:24, 137:25, 140:5, 141:24, 142:1, 153:18, 155:22, 155:23, 155:24, 156:4, 156:7, 156:24, 158:10, 168:16, 169:10, 169:12, 170:1, 170:7, 170:9, 170:18, 171:15,</p>	<p>171:19, 171:22, 172:2, 172:6, 172:20, 176:4, 176:5 sitting [2] - 134:3, 162:9 situation [7] - 80:23, 92:24, 93:18, 124:12, 126:18, 128:6, 151:25 six [3] - 77:25, 118:24, 148:14 six-lane [1] - 77:25 size [3] - 32:11, 39:2, 39:9 sketch [2] - 177:5, 177:9 skip [1] - 35:12 slow [2] - 92:7, 107:18 slushy [1] - 127:25 small [3] - 20:17, 60:25, 78:2 smells [1] - 118:16 Smolensky [1] - 123:12 social [1] - 98:21 socially [1] - 118:18 softball [1] - 78:19 sold [1] - 36:19 solution [1] - 144:15 solve [1] - 27:9 solved [1] - 128:7 someone [10] - 59:5, 86:2, 98:7, 102:11, 139:1, 146:10, 160:4, 160:16, 174:11, 174:25 someplace [1] - 90:11 sometime [2] - 62:19, 127:16 sometimes [1] - 192:12 son [1] - 101:21 sons [4] - 98:7, 99:11, 99:17, 100:7 sorry [17] - 22:3, 35:14, 41:5, 51:14, 66:23, 79:25, 92:8, 93:24, 113:9, 119:15, 135:5, 135:8, 172:9, 174:14, 175:25, 178:10, 180:6 sort [5] - 83:16, 147:22, 159:13, 178:2, 190:9 sought [3] - 48:17, 53:25, 102:3 soul [1] - 74:21 sound [3] - 107:22, 120:2, 163:74</p>
---	--	--	--	--

<p>sounds [2] - 23:23, 145:3</p> <p>south [3] - 10:19, 44:17, 47:2, 85:23, 111:19, 163:12</p> <p>southern [1] - 32:8</p> <p>Southpoint [1] - 60:8</p> <p>space [3] - 24:16, 48:24, 119:5</p> <p>spaces [1] - 70:13</p> <p>speaker [4] - 12:11, 34:4, 75:23, 75:25</p> <p>speaker's [3] - 3:4, 3:13, 130:3, 130:9, 132:1, 132:5</p> <p>speakers [4] - 3:2, 44:23, 129:25, 130:12</p> <p>speakers' [1] - 3:8</p> <p>speaking [13] - 41:4, 67:23, 75:15, 75:17, 76:4, 93:24, 103:20, 109:4, 110:9, 132:23, 134:9, 171:2, 171:4</p> <p>speaks [2] - 2:24, 160:9</p> <p>specific [4] - 4:13, 70:5, 173:19, 180:13</p> <p>specifically [5] - 4:6, 21:22, 60:6, 133:23, 155:19</p> <p>specifics [1] - 58:13</p> <p>spend [4] - 95:15, 96:16, 119:9, 191:16</p> <p>spent [1] - 100:8</p> <p>split [1] - 10:12</p> <p>Spofford [3] - 43:16, 43:18, 44:21</p> <p>SPOFFORD [3] - 43:24, 44:4, 44:6, 45:1, 45:5, 46:7</p> <p>spoken [3] - 101:17, 105:14, 138:16</p> <p>sponsoring [1] - 78:18</p> <p>sporting [1] - 78:21</p> <p>Sports [3] - 77:16, 77:18, 78:10, 78:14, 78:16, 79:7, 85:11, 86:18, 143:24</p> <p>sports [3] - 99:14, 99:23, 100:6, 105:7, 115:25, 125:15, 125:16, 125:19, 133:1</p> <p>sports-themed [1] - 99:14</p> <p>spot [2] - 142:7, 164:19</p>	<p>spots [1] - 52:21</p> <p>Square [1] - 29:12</p> <p>square [11] - 32:9, 32:11, 32:12, 33:25, 40:17, 41:7, 42:1, 60:19, 61:4, 63:20</p> <p>SRX [3] - 88:14, 88:19, 135:15</p> <p>St [2] - 43:18, 61:1</p> <p>staff [40] - 4:14, 7:20, 8:21, 9:2, 10:15, 13:21, 14:4, 16:18, 17:21, 22:20, 24:9, 30:16, 32:15, 32:18, 38:23, 40:16, 40:20, 41:25, 47:10, 49:7, 49:15, 50:14, 51:10, 54:8, 54:24, 62:1, 64:23, 66:14, 66:19, 69:9, 106:5, 133:20, 135:24, 136:8, 137:19, 152:13, 162:9, 180:9, 185:14, 191:20</p> <p>stake [1] - 134:11</p> <p>stalls [1] - 163:2</p> <p>stance [2] - 155:9, 164:20</p> <p>stand [3] - 2:9, 154:25, 155:8</p> <p>standing [2] - 2:10, 24:13</p> <p>standpoint [3] - 137:4, 147:13, 148:10</p> <p>stands [1] - 24:22</p> <p>staring [1] - 182:10</p> <p>Starshire [3] - 111:12, 112:7, 115:11, 117:8, 130:18, 147:3</p> <p>start [3] - 110:7, 110:20, 135:20</p> <p>started [1] - 110:7</p> <p>State [4] - 1:10, 93:15, 135:17, 190:21</p> <p>STATE [1] - 193:3</p> <p>state [3] - 33:23, 36:4, 101:18</p> <p>statement [1] - 108:11</p> <p>statements [2] - 105:23, 106:3</p> <p>station [2] - 47:9, 127:25</p> <p>stations [3] - 54:6, 85:6, 86:12</p> <p>status [1] - 119:5</p> <p>stay [2] - 163:3, 179:23</p> <p>staying [1] - 144:23</p> <p>stays [1] - 144:22</p> <p>Steel [2] - 7:11, 7:12</p>	<p>steel [1] - 38:24</p> <p>stenographic [1] - 193:11</p> <p>stenographically [1] - 193:9</p> <p>step [2] - 114:1, 153:25</p> <p>Stephen [2] - 34:7, 34:18</p> <p>Sterling [2] - 90:21, 90:25</p> <p>Sternwheel [3] - 35:19, 36:10, 36:16</p> <p>stew [1] - 155:4</p> <p>stick [2] - 171:9, 182:14</p> <p>still [15] - 19:11, 69:7, 69:8, 74:17, 83:11, 114:13, 114:18, 128:23, 133:8, 147:8, 163:10, 163:23, 171:23, 183:19, 191:10</p> <p>stomach [1] - 161:1</p> <p>stones [1] - 126:14</p> <p>stools [1] - 68:24</p> <p>stop [4] - 23:18, 72:8, 110:19, 149:12</p> <p>store [3] - 7:16, 191:3, 191:5</p> <p>stores [4] - 86:13, 190:22, 190:25, 191:4</p> <p>story [1] - 38:3</p> <p>straight [2] - 117:21, 153:15</p> <p>strain [1] - 93:14</p> <p>strange [2] - 23:23, 164:22</p> <p>strangers [1] - 112:8</p> <p>stream [1] - 93:6</p> <p>streams [1] - 93:22</p> <p>Street [3] - 1:8, 5:22, 5:23, 7:7, 49:22, 84:13, 87:11, 94:21</p> <p>street [30] - 32:21, 34:20, 36:23, 49:12, 50:9, 51:25, 52:6, 52:7, 52:12, 52:14, 52:22, 57:1, 57:2, 77:12, 88:8, 99:10, 102:9, 102:11, 102:16, 107:16, 112:7, 114:16, 125:12, 128:22, 129:5, 144:7, 144:11, 148:5, 154:20, 178:4</p> <p>streets [7] - 49:1, 49:5, 71:17, 71:20,</p>	<p>106:19, 117:9, 117:10</p> <p>strength [1] - 101:23</p> <p>stretches [1] - 164:25</p> <p>strict [1] - 56:23</p> <p>strip [4] - 7:15, 118:19, 148:7, 190:16</p> <p>strong [1] - 106:13</p> <p>strongly [3] - 102:21, 160:7, 161:11</p> <p>struck [1] - 102:12</p> <p>structure [3] - 32:10, 32:22, 36:24, 39:4, 40:5, 68:18</p> <p>structures [1] - 37:22</p> <p>struggle [1] - 182:18</p> <p>stuck [1] - 138:24</p> <p>study [4] - 124:16, 124:19, 124:22, 134:14</p> <p>stuff [2] - 58:19, 66:18</p> <p>style [2] - 50:3, 52:11</p> <p>subdivision [3] - 71:17, 117:8, 164:22</p> <p>subject [3] - 44:14, 172:2, 180:18</p> <p>submit [4] - 83:20, 96:24, 137:10, 137:22</p> <p>submitted [3] - 3:12, 3:16, 177:9</p> <p>Subs [1] - 29:13</p> <p>Subsection [1] - 86:18</p> <p>substance [1] - 102:21</p> <p>substantially [1] - 54:21</p> <p>succeeding [1] - 105:13</p> <p>success [2] - 93:9, 114:8</p> <p>successful [4] - 77:15, 78:1, 92:4, 93:19</p> <p>successfully [1] - 77:6</p> <p>sued [1] - 161:22</p> <p>suffered [1] - 79:4</p> <p>sufficient [2] - 107:7, 108:18</p> <p>suggest [1] - 190:19</p> <p>suggested [2] - 108:12, 157:25</p> <p>suggesting [1] - 189:16</p> <p>suggestion [2] - 106:13, 172:22</p> <p>Suite [4] - 49:20, 60:24, 67:14, 84:13</p> <p>super [1] - 61:10</p>	<p>support [27] - 9:2, 11:25, 28:2, 34:1, 40:9, 44:23, 55:14, 57:25, 61:15, 72:7, 88:6, 89:2, 90:7, 90:8, 92:6, 92:9, 92:16, 92:19, 93:1, 94:14, 98:2, 106:9, 126:6, 126:11, 136:17, 136:20, 185:11</p> <p>supported [2] - 91:19, 98:9</p> <p>supporting [1] - 60:10</p> <p>supportive [1] - 100:13</p> <p>supposed [1] - 150:18</p> <p>surplus [1] - 69:17</p> <p>surprised [1] - 131:15</p> <p>surprisingly [1] - 98:4</p> <p>surrounded [1] - 29:19</p> <p>surrounding [11] - 7:17, 37:1, 40:7, 50:19, 62:22, 85:9, 86:1, 86:9, 86:23, 88:23, 94:10</p> <p>surveying [1] - 11:23</p> <p>survived [1] - 79:4</p> <p>survivor [1] - 103:9</p> <p>Susan [2] - 97:10, 97:12</p> <p>swap [2] - 37:7, 37:11</p> <p>swear [34] - 8:4, 8:13, 11:7, 14:13, 17:7, 20:4, 30:4, 33:7, 34:23, 43:20, 55:9, 64:21, 73:5, 76:11, 80:2, 84:15, 87:21, 89:19, 91:3, 94:22, 97:15, 101:4, 104:9, 104:18, 109:12, 113:7, 113:10, 115:13, 116:21, 120:5, 123:24, 127:4, 130:19, 132:10</p> <p>sweet [1] - 114:7</p> <p>sworn [1] - 3:20</p> <p>Sylvan [1] - 123:22</p> <p>synagogue [7] - 82:22, 98:23, 112:11, 126:12, 128:5, 148:2, 148:4</p> <p>synagogues [7] - 98:10, 143:11, 147:6, 148:12, 159:14, 173:15, 174:9</p>
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2021-374

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T				
T.R [3] - 158:8, 158:20, 159:2	3:21, 8:15, 11:13, 14:18, 17:13, 20:10, 30:9, 33:12, 35:3, 44:1, 73:11, 76:16, 80:9, 84:20, 88:1, 89:25, 91:8, 95:5, 97:20, 101:9, 104:24, 109:18, 113:16, 115:19, 117:2, 120:11, 124:4, 127:10, 130:25, 132:16	44:21, 45:3, 45:6, 45:10, 45:15, 45:21, 45:25, 46:4, 46:6, 46:8, 46:12, 46:16, 46:20, 46:22, 47:12, 47:16, 47:20, 48:1, 48:5, 48:9, 48:11, 49:16, 49:18, 50:22, 51:2, 51:8, 51:16, 53:3, 53:7, 53:12, 53:14, 53:17, 55:3, 55:5, 55:8, 55:16, 55:20, 56:1, 58:2, 58:24, 59:3, 59:14, 59:18, 59:21, 60:20, 60:22, 61:17, 61:21, 62:3, 62:8, 63:2, 63:6, 63:10, 63:12, 64:14, 64:16, 64:20, 65:1, 65:6, 65:12, 65:16, 65:20, 65:23, 66:4, 66:22, 67:3, 67:6, 67:11, 67:15, 67:17, 72:14, 72:19, 72:22, 72:25, 73:5, 73:7, 73:10, 73:15, 75:12, 75:24, 76:2, 76:6, 76:10, 76:12, 76:15, 76:20, 79:16, 79:23, 80:1, 80:5, 80:8, 80:13, 80:14, 84:5, 84:10, 84:14, 84:16, 84:19, 84:24, 87:5, 87:12, 87:15, 87:17, 87:20, 87:22, 87:25, 88:5, 89:9, 89:15, 89:19, 89:21, 89:24, 90:4, 90:19, 91:2, 91:4, 91:7, 91:12, 92:7, 94:16, 94:22, 95:1, 95:4, 95:9, 96:23, 97:3, 97:5, 97:14, 97:16, 97:19, 97:25, 100:21, 101:3, 101:5, 101:8, 101:13, 103:13, 103:18, 103:21, 104:8, 104:12, 104:18, 104:20, 104:23, 105:3, 107:18, 107:21, 108:14, 108:22, 109:5, 109:8, 109:12, 109:14, 109:17, 109:22, 110:4, 110:10, 112:24, 113:3, 113:7, 113:10, 113:12, 113:15, 113:20, 113:21,	113:23, 115:1, 115:6, 115:7, 115:13, 115:15, 115:18, 115:23, 116:12, 116:16, 116:21, 116:23, 117:1, 117:6, 119:12, 119:15, 119:20, 120:1, 120:5, 120:7, 120:10, 120:15, 123:5, 123:9, 123:11, 123:14, 123:17, 123:19, 123:23, 123:25, 124:3, 124:8, 126:21, 126:24, 127:4, 127:6, 127:9, 127:14, 129:16, 129:22, 129:25, 130:5, 130:8, 130:11, 130:15, 130:19, 130:21, 130:24, 131:4, 131:23, 132:7, 132:10, 132:12, 132:15, 132:20, 134:19, 134:23, 135:5, 135:7, 135:10, 139:14, 139:18, 139:24, 146:19, 152:16, 155:12, 158:11, 159:4, 161:23, 167:20, 169:1, 169:20, 170:10, 170:15, 172:14, 173:10, 175:9, 175:15, 175:18, 175:22, 175:24, 176:2, 176:11, 176:17, 176:21, 176:23, 177:7, 177:14, 177:16, 177:22, 177:25, 178:10, 179:8, 179:25, 181:1, 181:12, 181:24, 182:1, 183:2, 183:14, 183:18, 183:23, 184:3, 184:5, 184:11, 184:15, 185:17, 185:21, 186:2, 186:4, 186:7, 186:13, 186:17, 186:21, 186:23, 187:2, 187:12, 187:18, 187:22, 188:1, 188:3, 188:7, 188:11, 188:15,	188:18, 188:22, 188:24, 189:4, 190:1, 191:6, 191:9, 192:13, 192:18 theirs [1] - 161:5 themed [1] - 99:14 themselves [2] - 128:4, 180:8 therefore [3] - 3:15, 131:20, 180:15 thereto [1] - 178:5 they've [3] - 22:11, 56:8, 71:16 thin [1] - 93:11 thinking [1] - 159:9 third [1] - 44:16 thirds [1] - 44:17 thoroughfare [2] - 77:25, 111:16 thoughtfulness [2] - 101:24, 102:6 thoughts [10] - 147:10, 149:2, 149:3, 157:22, 158:7, 161:24, 164:7, 166:15, 168:23, 169:22 thousands [1] - 96:17 three [32] - 2:25, 22:23, 22:25, 36:24, 49:14, 60:16, 61:25, 64:12, 69:5, 69:10, 71:23, 75:15, 81:11, 82:8, 99:19, 100:5, 108:15, 108:24, 110:13, 112:18, 112:19, 117:8, 119:13, 127:23, 129:8, 142:4, 168:12, 175:4, 184:9, 184:12 three-minute [2] - 2:25, 75:15 three-on-three [2] - 71:23, 82:8 three-year-old [1] - 99:19 threshold [1] - 39:6 thriving [1] - 77:25 throughs [1] - 60:7 thrown [1] - 83:5 Thursday [1] - 1:6 thy [1] - 58:21 ticket [2] - 165:12, 185:6 ticketing [1] - 149:25 tight [1] - 185:14 timely [1] - 23:4 timing [1] - 98:24 Timothy [1] - 39:4

<p>today [45] - 3:6, 3:22, 4:7, 6:5, 6:10, 9:6, 12:17, 15:6, 18:3, 20:22, 30:21, 33:19, 38:6, 44:22, 45:4, 45:12, 47:18, 50:24, 55:18, 61:18, 62:11, 65:4, 67:9, 73:18, 75:5, 76:24, 83:13, 85:12, 92:11, 98:6, 101:19, 103:7, 109:4, 129:18, 130:6, 132:23, 134:9, 134:20, 138:6, 138:11, 138:18, 139:16, 141:8, 160:12, 165:17</p> <p>today's [2] - 5:16, 136:13</p> <p>together [1] - 175:3</p> <p>tolerate [1] - 103:6</p> <p>Tommy [1] - 191:12</p> <p>ton [2] - 163:6, 163:17</p> <p>took [8] - 82:13, 83:3, 95:23, 138:19, 140:22, 144:14</p> <p>Took [1] - 123:17</p> <p>tool [1] - 170:2</p> <p>top [1] - 98:1</p> <p>torch [1] - 174:12</p> <p>torn [1] - 33:22</p> <p>totality [1] - 19:20</p> <p>totally [2] - 81:7, 142:13</p> <p>touch [1] - 167:15</p> <p>touched [1] - 164:9</p> <p>touching [1] - 138:23</p> <p>tough [2] - 154:8, 184:18</p> <p>tournament [1] - 70:23, 71:24, 82:9, 155:23, 156:7, 157:18, 157:19, 169:14, 173:19, 173:25, 174:2</p> <p>towards [4] - 153:22, 158:21, 160:4, 160:11</p> <p>town [8] - 59:6, 88:13, 114:5, 124:15, 158:21, 166:23</p> <p>Town [2] - 53:23, 56:8</p> <p>townhome [3] - 50:6, 50:11, 52:4</p> <p>townhomes [3] - 48:21, 50:2, 52:11</p> <p>trades [1] - 63:23</p> <p>traffic [25] - 116:7, 124:16, 124:19,</p>	<p>124:22, 124:23, 125:5, 133:14, 134:14, 137:17, 149:5, 149:12, 149:16, 150:8, 150:21, 150:24, 151:16, 151:22, 151:25, 157:10, 167:16, 178:16, 178:17, 179:15, 180:14, 181:9</p> <p>Traffic [1] - 180:21</p> <p>traffic's [1] - 151:25</p> <p>train [1] - 185:13</p> <p>Training [1] - 1:8</p> <p>transacted [1] - 58:8</p> <p>transcript [3] - 70:24, 136:10, 193:10</p> <p>transfer [1] - 166:22</p> <p>translates [1] - 88:20</p> <p>transmitted [1] - 3:25</p> <p>transmitting [1] - 169:10</p> <p>transpired [1] - 143:17</p> <p>Transportation [1] - 1:20</p> <p>treasurer [1] - 98:11</p> <p>treated [1] - 131:20</p> <p>tree [4] - 82:2, 131:16, 142:17, 143:3</p> <p>trees [7] - 81:2, 81:7, 107:12, 107:14, 142:15, 143:7, 143:13</p> <p>tried [1] - 161:11</p> <p>Trimmer [2] - 60:21, 60:23</p> <p>trimmer [4] - 60:22, 61:17, 62:21, 63:13</p> <p>TRIMMER [2] - 60:23, 62:23</p> <p>trivia [1] - 78:20</p> <p>Tropia [34] - 1:9, 8:13, 11:7, 14:13, 17:7, 20:4, 30:3, 33:6, 34:22, 43:20, 73:5, 78:10, 80:1, 84:14, 87:20, 89:19, 91:2, 94:22, 97:14, 101:4, 104:18, 109:12, 113:7, 113:10, 115:4, 115:13, 116:21, 120:5, 123:23, 127:4, 130:19, 132:10, 193:7, 193:19</p> <p>truck [1] - 137:7</p> <p>true [5] - 55:11, 68:21, 74:20, 174:22, 193:10</p>	<p>truly [2] - 90:13, 184:24</p> <p>truth [87] - 8:16, 8:17, 11:14, 11:15, 14:19, 14:20, 17:14, 17:15, 20:11, 20:12, 30:10, 30:11, 33:13, 33:14, 35:4, 35:5, 44:2, 44:3, 73:12, 73:13, 76:17, 76:18, 80:10, 80:11, 84:21, 84:22, 88:2, 88:3, 90:1, 90:2, 91:9, 91:10, 95:6, 95:7, 97:21, 97:22, 101:10, 101:11, 104:25, 105:1, 109:19, 109:20, 113:17, 113:18, 115:20, 115:21, 117:3, 117:4, 120:12, 120:13, 124:5, 124:6, 127:11, 127:12, 131:1, 131:2, 132:17, 132:18</p> <p>try [8] - 71:18, 92:12, 121:22, 146:14, 157:9, 157:15, 179:17, 182:10</p> <p>trying [24] - 11:22, 37:7, 52:18, 52:19, 57:4, 57:11, 59:6, 61:3, 107:20, 110:17, 117:25, 135:18, 138:1, 146:8, 146:11, 146:12, 147:11, 153:13, 157:3, 161:19, 161:20, 176:14, 181:20, 190:16</p> <p>Tuesday [3] - 4:9, 62:12, 189:11</p> <p>Tuesdays [1] - 111:25</p> <p>turn [21] - 81:11, 108:13, 108:17, 121:23, 122:6, 122:9, 122:14, 122:17, 128:19, 138:23, 138:24, 148:15, 149:13, 149:16, 149:19, 149:22, 153:16, 155:10, 163:18, 182:18</p> <p>Turn [1] - 156:14</p> <p>turned [1] - 71:14</p> <p>turning [2] - 82:13, 162:16</p>	<p>turns [4] - 149:24, 150:1</p> <p>TVs [8] - 69:6, 69:21, 71:7, 71:13, 82:13, 82:14, 82:15, 156:1</p> <p>two [40] - 4:9, 10:13, 22:24, 36:3, 42:23, 42:24, 42:25, 44:17, 44:18, 44:23, 48:22, 49:15, 52:21, 59:24, 63:24, 66:6, 66:15, 66:20, 71:23, 77:24, 81:11, 82:15, 83:21, 83:22, 86:24, 88:12, 98:7, 105:5, 129:19, 133:8, 135:25, 142:4, 147:13, 152:23, 155:4, 175:4, 184:21, 186:6</p> <p>two-day [1] - 71:23</p> <p>two-lane [1] - 77:24</p> <p>two-story [1] - 36:3</p> <p>two-thirds [1] - 44:17</p> <p>tying [1] - 157:8</p> <p>type [13] - 49:6, 49:11, 86:11, 131:14, 134:5, 171:12, 172:8, 172:11, 172:12, 180:13, 180:22</p> <p>types [3] - 78:20, 85:4, 85:8</p> <p>typically [4] - 41:22, 58:22, 147:22, 178:23</p>	<p>understandable [1] - 102:10</p> <p>understood [2] - 125:1, 175:9</p> <p>unfortunately [1] - 92:13</p> <p>unhappy [1] - 131:19</p> <p>Union [1] - 61:5</p> <p>unique [1] - 124:21</p> <p>unit [3] - 49:11, 52:22, 52:25</p> <p>Unit [3] - 48:15, 53:21, 63:17</p> <p>units [11] - 43:11, 44:15, 48:18, 48:22, 48:25, 49:3, 49:10, 50:2, 52:4, 54:1</p> <p>University [4] - 6:22, 53:24, 57:6, 57:11</p> <p>unless [5] - 4:6, 108:1, 108:25, 117:10, 175:16</p> <p>unlike [2] - 163:6, 163:7</p> <p>unopposed [1] - 104:1</p> <p>unsuspecting [1] - 107:25</p> <p>unusual [3] - 25:16, 101:23, 102:1</p> <p>up [54] - 12:1, 25:19, 35:23, 36:16, 38:22, 38:25, 39:4, 39:7, 40:1, 42:2, 52:14, 68:11, 70:10, 71:1, 73:21, 74:2, 74:25, 75:21, 84:1, 88:12, 89:4, 90:6, 90:16, 91:14, 96:25, 100:5, 102:17, 107:9, 108:15, 119:2, 127:19, 135:25, 137:12, 138:20, 142:6, 143:17, 144:10, 144:13, 148:25, 151:25, 153:9, 161:3, 162:8, 162:9, 164:22, 165:23, 166:3, 166:13, 168:19, 173:16, 173:17, 174:12, 180:21, 187:8</p> <p>upbringing [1] - 160:10</p> <p>update [1] - 189:10</p> <p>upsetting [1] - 128:8</p> <p>upzone [1] - 138:1</p> <p>urge [1] - 191:11</p> <p>uses [5] - 60:10, 63:20, 63:25, 64:1,</p>
--	---	---	--	---

**U**

U-turn [6] - 121:23, 122:14, 128:19, 149:16, 149:22, 182:18

U-turns [4] - 149:24, 150:1

ultimately [1] - 4:2

umbrella [1] - 98:12

unacceptable [1] - 128:10

unanimously [2] - 42:16, 59:22

uncomfortable [2] - 26:19, 128:21

unconditionally [1] - 79:12

under [8] - 36:11, 44:8, 64:1, 72:7, 78:8, 83:21, 93:14, 154:3

underserved [1] - 168:14

139:7 utilize [1] - 91:21	77:3, 99:8, 167:13 vote [7] - 4:11, 174:21, 174:24, 175:13, 175:14, 176:18, 182:4 voted [1] - 4:7 votes [1] - 4:2 voting [8] - 66:2, 175:8, 175:20, 176:1, 183:19, 183:21	172:24, 175:2, 179:1, 180:12 warehouse [1] - 63:20 warehousing [1] - 63:23 Warner [3] - 90:22, 90:25, 94:16 WARNER [5] - 91:6, 91:11, 91:13, 92:8, 93:24 Wash [1] - 19:10 wash [3] - 20:17, 21:21, 163:7 washed [1] - 23:19 washes [1] - 26:4 watch [3] - 99:23, 164:13, 167:14 watching [1] - 167:12 water [1] - 117:13 Water [3] - 6:11, 10:6, 10:9 ways [3] - 22:24, 49:1, 182:12 Wednesdays [1] - 112:1 week [8] - 22:12, 62:19, 82:24, 127:23, 129:9, 141:13 weekdays [1] - 106:4 weekend [1] - 158:19 weekly [1] - 79:1 weeks [8] - 4:9, 66:15, 105:5, 124:13, 155:4, 184:22 weigh [1] - 159:8 weird [1] - 25:13 welcome [4] - 2:4, 30:19, 73:16, 96:23 Wendy's [1] - 163:8 West [4] - 5:21, 17:5, 30:1, 55:7 west [2] - 19:4, 49:22 Westlake [2] - 6:12, 13:18 Westside [2] - 7:5, 10:10 wheel [1] - 165:3 Whiskey [1] - 112:1 whole [3] - 8:16, 11:14, 14:19, 17:14, 20:11, 30:10, 33:13, 35:4, 44:2, 73:12, 76:17, 80:10, 84:21, 88:2, 90:1, 91:9, 95:6, 97:21, 101:10, 104:25, 109:19, 113:17, 115:20, 117:3, 120:12, 124:5, 127:11,	128:16, 131:1, 132:17, 176:1 wholesome [1] - 118:8 Wicked [3] - 122:25, 125:11, 125:13 wife [2] - 26:8, 91:15 William [3] - 49:19, 51:23, 53:17 willing [13] - 70:21, 71:1, 71:25, 82:1, 89:5, 92:14, 96:16, 138:18, 138:25, 142:7, 143:14, 145:3, 155:24 willingness [1] - 143:16 win [3] - 39:16, 92:6, 92:9 wine [15] - 19:7, 19:18, 24:18, 25:11, 26:9, 138:12, 147:16, 147:17, 152:5, 154:4, 160:1, 160:6, 167:3, 167:5, 190:24 Wings [1] - 21:25 Winship [2] - 89:12, 89:17 wish [8] - 28:2, 44:24, 99:16, 100:1, 114:7, 130:2, 130:13 wishes [2] - 3:3, 130:6 withdraw [3] - 187:16, 187:19, 188:4 withdrawal [2] - 188:8, 188:19 withdrawals [1] - 187:4 witness [1] - 101:18 witnessed [1] - 75:3 WLD [1] - 24:9 WLD-15-05 [1] - 5:18 WLD-21-04 [8] - 6:11, 66:7, 68:10, 129:20, 134:21, 139:16, 186:11, 186:14 WLD-21-05 [4] - 19:1, 20:23, 28:19, 28:22 Wolpoff [5] - 103:23, 104:4, 104:16, 108:23, 125:2 WOLPOFF [8] - 104:22, 105:2, 105:4, 107:20, 107:22, 108:16 woman [3] - 114:15, 166:2, 166:16 wonderful [1] - 98:18 wondering [2] - 58:9,	69:8 wood [4] - 36:6, 69:25, 158:3, 158:5 wooded [1] - 41:15 woods [1] - 148:8 word [2] - 74:22, 112:2 words [2] - 68:22, 98:2 works [1] - 52:25 world [2] - 74:7, 92:5 worried [3] - 126:17, 126:19, 128:16 worse [1] - 152:2 Wow [1] - 143:5 wow [1] - 143:5 wrap [2] - 108:15, 187:8 write [1] - 191:21 writing [1] - 169:19 written [4] - 60:6, 72:2, 135:25, 169:16 wrote [1] - 56:18 Wyman [1] - 67:13
V	W		Y	
V-17-04 [1] - 10:16 V-20-07 [8] - 6:10, 10:5, 10:8, 12:18, 12:24, 13:2 V-21-04 [8] - 6:16, 32:4, 32:7, 38:6, 38:12, 38:15 VA [1] - 49:23 vacant [5] - 31:12, 77:21, 154:22, 165:5, 166:16 Valley [1] - 113:6 values [5] - 37:2, 40:4, 40:6, 74:5, 90:16 variance [10] - 10:8, 10:16, 12:3, 32:7, 98:3, 105:20, 111:4, 112:14, 112:20, 124:14 variances [1] - 3:18 various [3] - 67:21, 99:1, 137:20 vehicle [1] - 7:18 vehicles [1] - 34:1 vehicular [1] - 137:18 venture [1] - 7:13 venue [2] - 191:14, 192:11 verblage [2] - 181:14, 181:23 version [1] - 171:18 vicinity [2] - 126:8, 126:10 videos [1] - 99:19 view [1] - 88:13 Village [10] - 66:11, 90:25, 118:24, 127:22, 134:1, 134:2, 138:2, 138:9, 154:22, 165:3 Vincent's [1] - 61:1 vinyl [3] - 69:25, 158:3, 158:5 visible [3] - 32:21, 37:25, 107:16 vision [3] - 52:20, 77:17, 85:12 visit [2] - 114:10, 129:8 visited [1] - 118:15 visits [1] - 22:21 vodka [1] - 100:2 volunteer [1] - 164:12 volunteered [1] - 98:8 volunteering [3] -	wait [3] - 20:19, 69:9, 100:3 waited [1] - 107:8 walters [1] - 69:9 waiting [2] - 24:6, 107:24 waiver [17] - 7:19, 19:13, 25:8, 66:25, 86:16, 86:20, 86:25, 140:25, 144:5, 145:9, 145:10, 147:25, 148:19, 154:6, 159:20, 159:25, 190:10 waivers [4] - 3:18, 22:23, 189:12 waiving [1] - 141:2 walk [14] - 82:22, 83:1, 91:15, 95:17, 111:5, 111:11, 116:4, 122:8, 126:11, 128:3, 128:17, 129:5, 147:5 walkability [1] - 95:25 walkable [1] - 95:22 walked [3] - 81:24, 124:24, 142:1 walking [8] - 95:14, 111:6, 111:9, 114:9, 114:18, 116:6, 126:17, 127:22, 128:11 wall [13] - 68:23, 71:5, 80:21, 80:25, 106:16, 107:12, 108:2, 108:9, 125:4, 133:18, 142:25, 156:21, 176:10 wall/barrier [1] - 133:10 walls [1] - 171:24 Walmart [3] - 19:13, 24:17, 24:19 wants [10] - 57:22, 74:23, 75:1, 100:11, 139:8, 171:11,		y'all [2] - 27:1, 96:21 year [8] - 11:22, 83:2, 83:23, 99:19, 119:1, 157:20 years [22] - 74:1, 74:14, 75:2, 77:3, 77:7, 77:11, 77:23, 98:5, 102:11, 102:13, 102:18, 118:25, 128:23, 138:3, 147:1, 150:10, 150:13, 151:20, 161:3, 165:1, 165:6, 190:15 Yellow [3] - 6:10, 10:6, 10:9 yesterday [10] - 68:1, 68:2, 68:5, 69:1, 69:24, 70:6, 81:17, 107:8, 141:23, 158:9 you-all [2] - 72:9, 164:10 young [4] - 74:11, 74:19, 75:4, 102:2	
			Z	
			Zac [1] - 20:2 Zaguri [3] - 126:22, 127:1, 129:16 ZAGURI [3] - 127:8, 127:13, 127:15 zero [1] - 78:14	

Zipara [2] - 126:22,  
127:1  
zoned [4] - 15:1, 15:2,  
19:19, 75:10  
Zoning [8] - 4:1, 4:8,  
54:4, 86:15, 86:19,  
86:25  
zoning [37] - 7:4, 7:10,  
10:8, 10:14, 13:17,  
13:20, 14:2, 16:13,  
16:17, 19:3, 19:9,  
22:23, 26:10, 26:13,  
29:10, 29:16, 32:6,  
39:8, 47:5, 54:17,  
63:22, 64:2, 66:9,  
111:4, 111:23,  
112:14, 120:17,  
121:4, 122:21,  
135:22, 135:24,  
145:18, 145:19,  
145:20, 145:22,  
154:11, 164:21

Exhibit A B C D E F ( ) Planning Commission Meeting

App./Ord. Number E-21-16/WLD 2104

Date Submitted 4-22-21 PC Mtg.

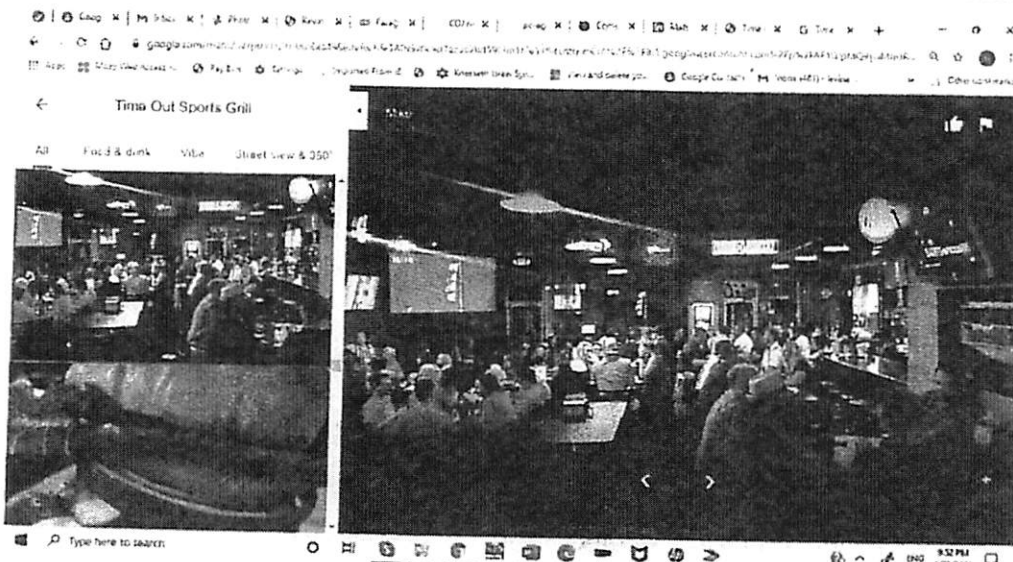
Submitted by Gordon Levine

April 22, 2021

Applicant has requested two variances to the property at 10140 San Jose Boulevard, Jacksonville, FL 32257 for sales of all alcohol beverages and to reduce the minimum distance between liquor license and church or school from 500 feet to 110 feet.

The submitter of this document objects to both requests for the reasons listed below.

1. Applicant claims a sports bar is in general character of the neighborhood. During a casual walk through the neighborhood you will see families walking with children, pushing strollers, youth skateboards and more. This photo dated April 21 shows a typical scene. In this case at the intersection of Haley Road and Starshire, across from the applicant location. Compare this family setting to the scene in Applicants other sports bar. How does a sports bar that would back up to a Jewish house of worship promote morality and family togetherness?



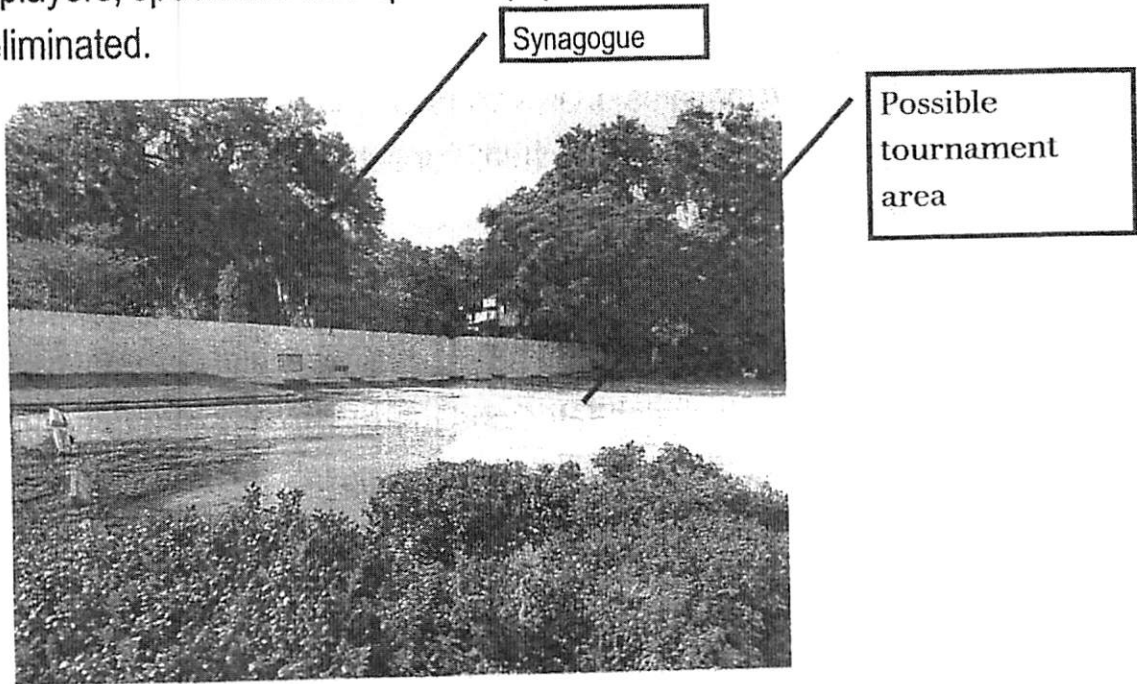
2021-374

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Page 281 of 327



2. Applicant proposes 3 on 3 basketball tournaments in the rear parking lot. It appears the basketball hoops will be some 100 feet from the building. Thus they will be abutting the property line and the synagogue next door. This will result in undue noise from players, spectators and sports equipment. The tournament should be moved or eliminated.



3. Applicant claims restaurants are needed. According to Trip Advisor there are 1,363 restaurants in Jacksonville. There are approximately 10 restaurants of various types within walking distance of the applicant location.

4. There are approximately 72 parking spaces. Some will be eliminated for the outdoor seating and basketball tournament area. Some will be used by the 50 proposed employees. This could result in overflow parking on to the residential streets, Haley, Starshire and others streets in the community. Therefore, it is requested that the driveway to/from Haley road be closed with permanent barrier or fence to eliminate this problem.

5. The proposal will have the sports bar open late on Friday night and weekends. The offer of a crossing guard on Friday nights is commendable. However, to fully accommodate the crossing concern additional days need to have a guard. Namely Saturday morning, afternoon and evenings; and also on Jewish Holidays: Passover (8 days), Shavuot (2 days), Sukkot (8 days) Rosh Hashana and Yom Kippur. Day and evening for these Holy Days as well. The request needs to be modified to specifically include these Holy Days.



6. Applicant states "there will not be any environmental impact inconsistent with health, and safety of the community." How was this determined? Were there studies performed to determine this claim? By who? When?

Submitter respectfully requests that both Requests be **DENIED**.

If approved it is respectfully requested that the Requests be Approved with Conditions as follow:

1. Additional crossing guards be added as noted in item 5 above.
2. Closing the driveway on to Haley Road with a permanent barrier as noted in item 4 above.
3. Basketball tournament be moved to the front of the building or eliminated as noted in item 2 above.

Finally, take a walk down Haley Road on the sidewalk, middle of the road or on the side almost any time of day and vehicular traffic will not impede your way. We have a quiet, family oriented residential community we enjoy.

We ask that you not take this joy from us.

Respectfully submitted,

  
Gordon J. Levine

3114 Watson Drive

Jacksonville, FL 32257

Sec. 656.133. - Waivers for minimum distance requirements for liquor license locations; minimum street frontage requirements; signs; Downtown properties.

(a) *Waivers for minimum distance requirements for liquor license locations; waiver criteria.*

Applications for minimum distance requirements for liquor license locations shall be considered by the Commission in accordance with the notice and public hearing requirements for zoning exceptions set forth in Section 656.131. Applications for waivers shall be in writing on the form prescribed by the Commission and filed with the Department together with the required number of copies and all required attachments. Upon receipt of the application, the Zoning Administrator shall determine whether the application is complete within five working days. If it is determined that the application is not complete, written notice shall be provided to the applicant specifying the deficiencies. The Zoning Administrator shall take no further action on the application until the deficiencies are remedied. When the application is determined to be complete, all fees must be paid as specified in Section 656.147.

The waiver for minimum distance requirements from a church or school for a liquor license location may be granted if there exist one or more circumstances which negate the necessity for compliance with the distance requirements, including, but not limited to the following:

- (1) The commercial activity associated with the alcoholic beverage use is 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 the type of license;
- (2) The alcoholic beverage use is designed to be an integral part of a mixed planned unit development;
- (3) The alcoholic beverage use is located within a shopping center with an aggregate gross leasable area of 50,000 square feet or more, inclusive of all outparcels and meets the definition of a "bona fide restaurant", as defined in Section 656.805(c);
- (4) The alcoholic beverage use is not directly visible along the line of measurement defined in Section 656.806 and is physically separated from the church or school, thereby negating the distance requirement as a result of the extra travel time; or
- (5) 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.

(b) *Minimum street frontage requirement and sign waivers.* Applications for minimum street frontage requirement and sign waivers shall be considered by the Council in accordance with the notice and public hearing requirements for rezonings set forth in Section 656.224. Applications for these waivers shall be in writing on the form prescribed by the Council and filed with the

Received: 4.22.21 PC mtg.  
 Submitted by: Ramzy Bakkar  
 F-21-16 / WLD-21-04

# MEMBERS KOREAN BAPTIST CHURCH

Regarding the property at the corner of Haley Road and San Jose Blvd. proposal to it being a Sports Bar with the Sale of Liquor and Beer inside and out, and the Waiver of the liquor distance law as it applies to nearby houses of Worship, we oppose this plan based on the following:

1. There is a lot of foot traffic at this intersection, especially on Saturday and Jewish Holidays. We already had One fatality not too long ago, and the addition of alcohol related activity will only increase the chances of This happening again.
2. Outside consumption of food and alcohol will increase the noise level. When a Sports Bar was located on Kori road which was approximately one mile away, you could hear the noise on weekends in the Pickwick Three subdivision.
3. Traffic will also increase on Haley Road and Bernice Road leading to Scott Mill Road, with a sharp curve on Bernice and a dead end circle on Merlin and Cornelia Drive.
4. With three Jewish and one Baptist houses of worship distances from the proposed Bar being less than One hundred feet to approximately one thousand feet, this is certainly not worthy of any "zoning exceptions".
5. Property values will be reduced especially on Starshire Road, which is directly across from the proposed bar, And homes on Haley Road.

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*Handwritten signature*

*Handwritten signature*

Mee Ja Kim

Myong Hoang  
Sharon Lee

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NAME

ADDRESS

✓ RICHARD BRONOWITZ

3133 WATSON DRIVE SOUTH

✓ ALAN MILLER

10360 ARROWHEAD DR.

✓ HELV GOICANSON

3023 Cornelia Dr.

✓ GABOR MARCZELER

2977 Oak Isle Rd

✓ Evan Gorin

2946 Bernice Ct.

✓ Dalia Margolis

5124 Castlemy Dr.

✓ Marelyn Wolfson

2974 Mandarin Hollow Dr

✓ Eli Wolfson

2974 Mandarin Hollow Dr

✓ Kryeh Gross

2957 Brenner Dr. 32257

✓ [Signature]

9943 Merlin Dr. Kask 32257

✓ [Signature]

9943 Merlin Dr. E. 32257

② ✓ Linda Rosenthal

3100 Cornelia Dr 32257

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NAME

ADDRESS

Debra B. Levine  
John A. Gordon Levine

3114 Watson Dr. S.  
3114 Watson Dr. S.

✓

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

TO THE PLANNING COMMISSION, CITY OF JACKSONVILLE

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A sports bar is very different from the restaurants which exist near our neighborhood, and it doesn't meet any needs of the immediate neighborhood—it just endangers the neighbors with traffic and noise.

✓ Arthur Rosenthal

NAME (PLEASE PRINT)

2960 Starshire Cove Jax FL 32257

ADDRESS

✓ Fern Estrel

NAME (PLEASE PRINT)

2992 Bernice Ct Jax FL  
32257

ADDRESS

# Haley Road and San Jose Blvd. Proposal

✓ Matthew Macke	2976 Bernice Drive
✓ Phil Harris	2994 Bernice Dr.
✓ Mark Duarte	3128 Cornelia Dr.
✓ Robin Duarte	3128 Cornelia Dr.
✓ Barry Cooper	9921 Merlen Dr. East
✓ David Cooper	9921 Merlin Dr E
✓ Dan Rock	3088 Watson Ct.
✓ Brandon Mitchell	3050 Watson Dr.
✓ Kenneth Kellier	3058 Cornelia Dr.
✓ Louise Hillier	3058 Cornelia Dr
? M. Hill	3805 Cornelia Dr ✓
✓ Mary Ann All	3061 Merlin Dr. H.
✓ Regener Bielanski	2973 Bernice Drive
? Mark Amos	3068 Cornelia Drive ✓
✓ Martin Schwartz	3089 CORNELIA Dr.
✓ Marc B Schwartz	3089 Cornelia Dr
✓ Glenn Pearl	3067 Cornelia dr Sax Fl.
✓ Eulogio Hernandez	3039 CORNELIA DR
✓ Eulogio Hernandez	3039 CORNELIA DR
② Michael Melster	3092 Watson CT. ✓



LOCAL RESIDENTS OPPOSED TO APPLICATION WLD-21-04 and E-21-16 FILED BY MATT HARRIS ON  
BEHALF OF TIME OUT SPORTS GRILL MANDARIN

✓ Mr + Mrs Young Zacharia 2987 Starshire Cove  
NAME (PLEASE PRINT) Alamy Miller ADDRESS

✓ Michael Nordgren 2978 Starshire Cove

NAME (PLEASE PRINT)

ADDRESS

Arthur Rosenthal 2960 Starshire Cove. ✓  
NAME (PLEASE PRINT) ADDRESS

? Norrie Harey Starshire Cove  
NAME (PLEASE PRINT) ADDRESS

✓ B. [Signature] 2948 Braemar Dr.  
NAME (PLEASE PRINT) ADDRESS

✓ Arxel + Marcx Gross 2957 Braemar Dr.  
NAME (PLEASE PRINT) ADDRESS

NAME (PLEASE PRINT)

ADDRESS

NAME (PLEASE PRINT)

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LOCAL RESIDENTS OPPOSED TO APPLICATION WLD-21-04 and E-21-16 FILED BY MATT HARRIS ON  
BEHALF OF TIME OUT SPORTS GRILL MANDARIN

✓ Samson Kahn 10162 Oakisle Rd W  
NAME (PLEASE PRINT) ADDRESS

✓ George Zakow 2961 Starshire cove.  
NAME (PLEASE PRINT) ADDRESS mommadocjax@bellsouth.net

✓ Wendy Honigman 2968 Starshire Cove  
NAME (PLEASE PRINT) ADDRESS 2968 Starshire Cove

✓ Hector Martinez Hector 2787@att.net  
NAME (PLEASE PRINT) ADDRESS sarahyherman@gmail.com

✓ Sarah Herman 10146 Haley Rd  
NAME (PLEASE PRINT) ADDRESS

✓ LEE WEBER 2986 Oakisle Rd N leemarer@gmail.com  
NAME (PLEASE PRINT) ADDRESS

✓ Mary Monfort 2987 Oakisle Rd N mmonfort1959@gmail.com  
NAME (PLEASE PRINT) ADDRESS gmedstudio@gmail.com

✓ LANA Grumberg 2977 Oakisle Rd N  
NAME (PLEASE PRINT) ADDRESS cow

✓ Claine McMillan 2976 Oakisle Rd N.  
NAME (PLEASE PRINT) ADDRESS Hunnymon19@yahoo.com

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ON FILE

Page 292 of 327

LOCAL RESIDENTS OPPOSED TO APPLICATION WLD-21-04 and E-21-16 FILED BY MATT HARRIS ON  
BEHALF OF TIME OUT SPORTS GRILL MANDARIN

✓ ADRIAN GOLDFARB 2968 OAKISLE RD N goldfarb@me.com  
NAME (PLEASE PRINT) ADDRESS

✓ CARMEN SAFAR 2927 BRACMAN DR. JAX, FL  
NAME (PLEASE PRINT) ADDRESS

✓ NORMAN W. HAYNES, JR 2629 BRAEMAR DR. JAX, FL  
NAME (PLEASE PRINT) ADDRESS

✓ SABRINA B ROTHBERG 10146 OAKISLE RD W JAX FL  
NAME (PLEASE PRINT) ADDRESS

✓ THOMAS E. REED 10138 OAKISLAND IS  
5153 OAKISLAND  
NAME (PLEASE PRINT) ADDRESS

✓ RIVIER COLEN 10154 OAKISLE RD W JAX  
NAME (PLEASE PRINT) ADDRESS

✓ THOMAS BOWMAN 2873 STARSHIRE COVE  
NAME (PLEASE PRINT) ADDRESS

✓ LOU SMOLESEY 2846 STARSHIRE CV, 32257  
NAME (PLEASE PRINT) ADDRESS

✓ MEGAN ROMER 2930 STARSHIRE COVE  
NAME (PLEASE PRINT) ADDRESS

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✓ Joseph Hamaoui 3044 Haley Ln Jacksonville FL 32257  
NAME (PLEASE PRINT) ADDRESS

✓ Jeff Beyer 2950 Starshire Cv. Rt.  
NAME (PLEASE PRINT) ADDRESS 32257

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✓ Judy Mizrahi 2945 Mandarin Hollow Dr.  
NAME (PLEASE PRINT) ADDRESS

✓ Michael Herring 2966 Mandarin Hollow Dr.  
NAME (PLEASE PRINT) ADDRESS

✓ Sherry Herring 2966 Mandarin Hollow Dr.  
NAME (PLEASE PRINT) ADDRESS

✓ SARA GROSS 2953 Mandarin Hollow Dr.  
NAME (PLEASE PRINT) ADDRESS

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✓ BONITA HARDY 10796 Knott Highway Dr Jax 32257  
NAME (PLEASE PRINT) ADDRESS

✓ MARILYN WALTON 2974 Mandarin Hills Dr  
NAME (PLEASE PRINT) ADDRESS

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✓ Peter Blunt 2977 Mandarin Hollow Dr  
NAME (PLEASE PRINT) ADDRESS

✓ Michael Sherstein 2961 Mandarin Hollow Dr.  
NAME (PLEASE PRINT) ADDRESS

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✓ Andrew JAFFA 2801 Sylva Lane NOK Jax FL 32257

NAME (PLEASE PRINT)

ADDRESS

✓ Zipora Zagun 2969 Mandarin Hallow Dr Jax

NAME (PLEASE PRINT)

ADDRESS

✓ Ari ~~Zagun~~ 2969 Mandarin Hallow

NAME (PLEASE PRINT)

ADDRESS

NAME (PLEASE PRINT)

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Justin SAKOFS

NAME (PLEASE PRINT)

2903 Bernice Ct

ADDRESS

Chai Gross

NAME (PLEASE PRINT)

2922 Bernice Ct. Jacksonville

ADDRESS

Jonathan Gross

NAME (PLEASE PRINT)

2922 Bernice Ct. 32257

ADDRESS

Michael Herman

NAME (PLEASE PRINT)

10146 Haley RD 32257

ADDRESS

Sarah Herman

NAME (PLEASE PRINT)

10146 Haley Rd 32257

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Abraham Smith

NAME (PLEASE PRINT)

2910 Bernice Ct. Jacksonville fl  
32257

ADDRESS

Racquel Adams

NAME (PLEASE PRINT)

2903 Bernice Ct.  
Jacksonville, FL 32257

ADDRESS

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✓ Beth Wolfpoff 9951 Haley Rd, Jax, FL 32257  
NAME (PLEASE PRINT) ADDRESS

✓ Sylvia Jaffa 2801 SYLVIA LANE NORM JAX FL 32257  
NAME (PLEASE PRINT) ADDRESS

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✓ 1/ <i>By Mark</i>	3114 CORNELIA DR
<i>M. M. M. M. M.</i>	" " " "
✓ <i>Suzanne Mucke</i>	3114 Cornelia Drive
✓ <i>Charles Reynolds</i>	3068 Cornelia Dr
✓ <i>Ruth Jackson</i>	9940 Watson Dr. W.
✓ <i>Edith</i>	3067 Watson Dr. S.
✓ <i>Jerry Scott</i>	9940 Watson Dr W
✓ <i>Carol Woodcock</i>	9954 Watson Dr. W.
✓ <i>Quinn Wilson</i>	3113 Watson Dr. S.
✓ <i>Olivia Taylor</i>	9995 Merlin Dr E
✓ <i>Chadwick Prentice</i>	9995 Merlin Dr E.
⑬ <i>John Olson</i>	9975 Merlin Dr. E.
	9955 Merlin Dr. E.

# Haley Road and San Jose Blvd. Proposal

✓ Jack [unclear]	9901 Merlin Dr. E.
✓ [unclear]	2099 Cornelia Dr
✓ Nancy Brannen	9930 Walton Dr, West
✓ Alon Van Der Ploeg	3068 Merlin Dr N
✓ LAWRENCE OSSI	3090 MERLIN DR N
✓ DWAH Castillo	3114 N. Merlin Dr
✓ Rahlin Green	3128 n. merlin Dr
✓ [unclear]	" " " "
✓ [unclear]	3089 Merlin Dr. S
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✓ [unclear]	2964 BERNICE DR
①9 ✓ SOUHEL SAFAR	

**Abney, Erin**

---

**From:** Huxford, Folks  
**Sent:** Wednesday, April 21, 2021 5:29 PM  
**To:** Abney, Erin  
**Subject:** FW: Letter of Opposition on E-21-16

Erin,

Please forward to the agent so he doesn't get caught off guard at the PC meeting. Thanks!

Folks

**From:** Sales, Patricia <PMacer@coj.net>  
**Sent:** Wednesday, April 21, 2021 2:20 PM  
**To:** Alex Moldovan <agmoldovan0@gmail.com>; Daniel Blanchard <daniel@southernimpression.dev>; David Hacker <dhacker@csnflc.com>; dawn motes <jpcmotes@icloud.com>; Dawn Motes <dawn@mariettasand.com>; Ian Brown <Planningdistrict5@gmail.com>; Jason Porter <plancomporter@gmail.com>; Josh Garrison (joshua@pcgarrison.com) <joshua@pcgarrison.com>; Marshall Adkison <MA@AdkisonTowing.com>  
**Cc:** Huxford, Folks <FHUXFORD@coj.net>; Lewis, Bruce <BLewis@coj.net>  
**Subject:** Letter of Opposition on E-21-16

**From:** rana@bellsouth.net <rana@bellsouth.net>  
**Sent:** Wednesday, April 21, 2021 12:30 PM  
**To:** Sales, Patricia <PMacer@coj.net>  
**Subject:** Application E-21-16

**EXTERNAL EMAIL:** This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

I am writing to express my strong opposition of the Time Out restaurant and Bar at the old Village Inn at 10140 San Jose Blvd. I live directly across from the property and would be negatively affected. My husband and I are elder and my husband is very sick. We have lived in this house for over 25 years. Not only will the alcohol and bar environment negatively affect us late at night directly, the loud noise and outside bar area would negatively affect our living condition.

As mentioned, we have lived in this home for over 25 years and take pride in the lovely community we are a part of. But I fear a bar directly across from my house would also negatively affect the value of our home. No one wants to raise a family directly in front of a bar.

Thank you,  
Widad Zacharia

2987 Starshire Cove  
Jacksonville, FL 32257

## Sales, Patricia

---

**From:** Huxford, Folks  
**Sent:** Thursday, April 22, 2021 10:59 AM  
**To:** Sales, Patricia; Joshua Garrison  
**Cc:** Johnston, Paige  
**Subject:** FW: Zoning Hearing on San Jose Blvd and Haley Road

For the PC members...

**From:** Rabbi Yaakov Fisch <rabbifisch@etzchaim.org>  
**Sent:** Thursday, April 22, 2021 10:22 AM  
**To:** Huxford, Folks <FHUXFORD@coj.net>  
**Cc:** Boylan, Michael <MBoylan@coj.net>  
**Subject:** Zoning Hearing on San Jose Blvd and Haley Road

**EXTERNAL EMAIL:** This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

RE: 3. W L D-21-04 (companion E-21-16)

Dear Mr. Huxford:

I am writing regarding the above-referenced application for a variance that is scheduled for hearing this evening. The applicant referred to me in his application suggesting that I was thrilled with the prospect of the sports bar which is the intended use. I am writing to correct the record.

Mr. Harris did approach me as the Rabbi of synagogue directly across the street from the property. I voiced my concerns to Mr. Harris and we engaged in productive dialogue. Our congregation has many members, including children, who walk past the project on Haley Street to and from our synagogue. A member of our congregation was tragically killed by a motor vehicle when walking to synagogue several years ago, so this issue is one of importance to me and my congregation.

I am not thrilled with the prospect of a sports bar and liquor variance contrary to the statements in the application. Although the synagogue has not taken an official position, we would hope that if the City approves this application, it will consider imposing requirements to address the neighborhood concerns and pedestrian safety along Haley Road.

I would appreciate it if you would provide this letter to the committee members reviewing the above application.

Rabbi Yaakov Fisch  
Etz Chaim Synagogue  
10167 San Jose Boulevard  
Jacksonville, Florida 32257  
904-262-3565  
etzchaim.org



Howard Wolpoff &lt;hwolpoff@gmail.com&gt;

**Follow up to our conversation yesterday**

rabbi@chabadjacksonville.org <rabbi@chabadjacksonville.org>  
To: Howard Wolpoff <hwolpoff@gmail.com>

Thu, May 6, 2021 at 9:48 AM

Hi Howard,

Thank you for following up.

I have actually given the matter some thought and am of the opinion that Chabad is not being given adequate consideration in this process. Somehow I was told by several people that there would be more measures to protect Chabad from the matters that require the distancing of this type of a facility. I was very surprised when Mr. Harris offered to plant a tree at Chabad as a way of dealing with the issue. So while I'm not ready to oppose the entire project, I am certainly unhappy with the way Chabad is being treated and I am therefore expressing my opposition to this project as it is designed at this point.

Feel free to share this correspondence with whomever you please.

Best of luck.

[Quoted text hidden]

Exhibit A B C D E F ( )
App./Ord. Number <u>E-21-16</u>
Date Submitted <u>5/6/21 PC</u>
Submitted by <u>Howard Wolpoff</u>

2021-374

ON FILE

Page 306 of 327



Sales, Patricia

From: Huxford, Folks  
Sent: Thursday, April 22, 2021 11:46 AM  
To: Sales, Patricia; Joshua Garrison  
Cc: Johnston, Paige  
Subject: FW: Proposed Sports Bar @ 10140 San Jose Blvd, Jacksonville, FL ( property of former "Village Inn" restaurant)

For the PC members...

From: Woody Haynes <haynesnw@gmail.com>  
Sent: Thursday, April 22, 2021 11:39 AM  
To: Abney, Erin <EAbney@coj.net>; Huxford, Folks <FHUXFORD@coj.net>  
Subject: Proposed Sports Bar @ 10140 San Jose Blvd, Jacksonville, FL ( property of former "Village Inn" restaurant)

EXTERNAL EMAIL: This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Erin Abney and Folks Huxford:

Hello and warmest greetings from our family to you and yours.

This message is in response to the proposed zoning of a sports bar in close proximity to our neighborhood. While I do not object to sports bars, I believe that the location for the one under consideration is not appropriate for several reasons. These reasons are: 1. Risk to public safety, 2. Disrespect for Jewish and Christian beliefs/practices/sites and 3. Increased noise levels.

My chief concern is the danger to human life associated with the location of the sports bar. Our neighborhood could potentially have people leaving the sports bar, intoxicated and driving automobiles through our neighborhood and adjoining streets - where families and their children are playing, walking, bicycling, etc.

As mentioned, this is predominantly, a Jewish neighborhood. Many have chosen to live here in order easily travel by foot, according to the Torah, to their places of worship and religious/cultural significance during the Sabbath and Holy Days. The sports bar would be along the route taken by Jewish families to/from the synagogue (Etz Chaim synagogue - <https://www.etzchaim.org> , Jacksonville Jewish Center - <http://www.jaxjewishcenter.org> and Chabad Lubavitch of Northeast Florida - <https://www.chabadjacksonville.org>). Note also, that during week days, school aged children from public schools or the nearby Torah Academy of Jacksonville ( <https://torah-academy.com> ) also travel along a similar path near this proposed sports bar.

Another concern is that this sports bar would be right next to a Jewish center (Chabad Lubavitch of Northeast Florida). Additionally, it would also be very close to the Jacksonville Korean Central Baptist Church ( <http://www.jacksonvillekorean.org> ), which is right beside the Jewish center. It is truly disrespectful and inconsiderate to the Christian and Jewish citizens of this area to have a sports bar - with enibriated customers, loud music/noice, etc in such close proximity to these sacred places of Jewish and Christian worship.

Lastly, the increased noise levels created by a sports bar would be a constant and unwelcome irritant to the tranquility of our neighborhood. It would also be disruptive to local places of worship.

Due to my work schedule, I am not able to attend today's meeting: "NOTICE is hereby given that on April 22, 2021 at 1:00 P.M. the Planning Commission of the City of Jacksonville will hold a Public Meeting in the Edward Ball Building, 1st Floor - Training Room, 214 North Hogan Street, Jacksonville, Florida, 32202". I request that my objections to the proposed sports bar - conveyed to you via this email message - be noted / recorded.

Many thanks for your attention and consideration of my concerns.

Norman W. Haynes, Jr.

2926 Braemar Drive  
Jacksonville, Florida 32257

H: 904.262.2093

C: 904.566.4403

**Abney, Erin**

---

**From:** Margalit Levin <margalitromer@gmail.com>  
**Sent:** Thursday, April 22, 2021 10:20 AM  
**To:** Huxford, Folks  
**Cc:** Abney, Erin  
**Subject:** Regarding the Sports Bar on corner of San Jose and Haley

**EXTERNAL EMAIL:** This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

To Whom It May Concern,

We are writing to oppose the opening of the Sports Bar on the corner of San Jose Blvd and Haley Rd. We live down the block from this location and are a family with young children. We are concerned about the potential clientele, behaviors, and noise levels that this bar will bring to our neighborhood. We do not want our children to be exposed to behaviors encouraged and promoted at a bar, and quite frankly, view this bar as introducing a safety risk to our community. This is not an establishment that we want to have in our quiet, residential neighborhood.

Thank you for your time and consideration,

Sincerely,  
Binyamin Levin and Megan Romer

2930 Starshire Cove,  
Jacksonville 32257

**Sales, Patricia**

---

**From:** Huxford, Folks  
**Sent:** Thursday, May 06, 2021 12:34 PM  
**To:** Sales, Patricia; Joshua Garrison; David Hacker (dhacker@csnflc.com); Marshall Adkison; Daniel Blanchard; Ian Brown (Planningdistrict5@gmail.com); Alex Moldovan (agmoldovan0@gmail.com); Jason Porter (plancomporter@gmail.com)  
**Subject:** FW: FW: E-21-16 and WLD-21-04  
**Attachments:** 1) Developers LinkedIn Showing #1 Sports Bar.pdf; 2.) Time Out Sports Webpage Showing Happy Hours.jpg; 3.) E-21-16 Public Comments Recommending Denial.pdf

FYI...

**From:** Stefen Wynn <sabwynn@gmail.com>  
**Sent:** Thursday, May 06, 2021 12:02 PM  
**To:** Huxford, Folks <FHUXFORD@coj.net>  
**Cc:** Gloria Einstein <gloriaeinstein@gmail.com>; Autumn Wynn <autumn.l.wynn@gmail.com>  
**Subject:** fwd: FW: E-21-16 and WLD-21-04

**EXTERNAL EMAIL:** This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

----- Forwarded message -----

**From:** Stefen Wynn <sabwynn@gmail.com>  
**Date:** Thu, May 6, 2021 at 11:57 AM  
**Subject:** Re: FW: E-21-16 and WLD-21-04  
**To:** Gloria Einstein <gloriaeinstein@gmail.com>

Hi Gloria -

The fence provision isn't good enough - we'll still have issues with increased vehicular traffic along Haley Road, and will most likely see residential parking creep from the sports bar. This will also exacerbate the pedestrian vs. vehicle issue at the intersection of Haley Road and San Jose Boulevard. The TPO recently included the camera-activated crosswalk at the intersection of Haley Road and San Jose Boulevard as an innovative way to improve the safety of high trafficked intersections at the Beaches. Other restaurants and bars in the area don't have a driveway or parking lot entrance that accesses a residential neighborhood road.

Allowing any visitor to the Sports Bar access to Haley Lane would cause the character of our neighborhood to be irrevocably changed - which would be a direct violation of the provisions of the Comprehensive Plan. The intent of the developer is to create a neighborhood friendly restaurant, but it is in fact advertised as a Sports Bar, with limited Kosher offerings and heavy on the sale of alcohol. If approved, this location will become a constant source of complaints from neighbors for noise violations and vehicles parking along residential property lines. I am firm on the conclusion that allowing a sports bar in this particular location, next to a school that recently received approval to increase the amount of students that it serves, and with an access drive that spills into a

2021-374

ON FILE

residential neighborhood with no outlets or deadend streets is a direct violation of the intent of the comprehensive plan and should be denied.

Redevelopment of blighted properties is normally a good thing and will result in an increase to the tax roles for the City, but at a cost to the ideal residential feel of our neighborhood. I'm certain that it will also cause undue hardship to adjacent property owners and the property owners along Haley Lane and throughout the neighborhood. Our neighborhood is heavily pedestrian oriented and allowing a commercial property to access the neighborhood drive will disproportionately effect the amount of residents of the neighborhood that walk with visitors to the sports bar arriving by vehicle. Further, in 2019, the current TimeOut Sports Grill received 42 calls for service from the Jacksonville Sheriffs Office; and between 2020 and 4/22/2021 that same location had 17 calls for service from JSO - keeping in mind that most of 2020 restaurants and bars were closed due to the COVID-19 Pandemic.

I urge the Plan Commission to vote to deny the application as presented as it violates the intent of the Comprehensive Plan to preserve or improve the quality of life for residents in our neighborhood.

Attachments:

- 1.) Developers LinkedIN showing #1 Sports Bar
- 2.) TimeOut Sports Webpage Showing Happy Hours
- 3.) Original Testimony from Stefen Wynn 4/22/2021\_ E-21-16 Public Comments Recommending Denial

In Public Service,

--

Stefen Wynn, M.P.A.

3057 Haley Ln.

Jacksonville, FL. 32257

M: (574) 514-3294

E: [sabwynn@gmail.com](mailto:sabwynn@gmail.com)

<https://www.facebook.com/sawynn>

<https://www.linkedin.com/in/stefen-wynn-mpa/>



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Messages



**Matt Harris**

President at Time Out Sports Grill Jacksonville, LLC

## Activity

See all activity

Posts Matt created, shared, or commented on in the last 50 days are displayed here.

[See all activity](#)

## Experience



### President

Time Out Sports Grill Jacksonville, LLC

Nov 2017 - Present · 3 yrs 6 mos  
Jacksonville, Florida

- Recorded second best year in company history during first 11 month acquisition
- Voted Jacksonville's number 1 sports bar in first nine months of acquisition
- Awarded 334 Happy Hours top 20 Happy Hours in Jan
- Oversee all upper management and ensure percentages are met



### Vice President of Operations

First Fox Financial

Jan 2016 - Present · 5 yrs 4 mos  
Jacksonville, Florida

- Acquired 6 apartment complexes, 5 storage units, and a sports bar within first 3 years of operation
- Evaluate businesses in the restaurant hospitality industry to seek acquisition
- Operate day-to-day new businesses the first year after seeking acquisition



### Vice President of Operations & Director of Business Development

Allied Psychological Services

Nov 2015 - Present · 5 yrs 6 mos  
Jacksonville, Florida

- Oversee all day-to-day operations & members of the office
- Implement monthly/quarterly goals to maximize profit

3.5.20 BHELLO

\$5 THREE OLIVES

\$5 CAPTAIN MORGAN

\$5 FIREBALL

\$9.95 PITCHERS OF BUD LIGHT & MILLER LIGHT

5 for \$11.99 DOMESTIC BEER BUCKETS

(Bud Lt, Budweiser, Miller Lt, Coors Lt, Mich Ultra)

NO UPCOMING EVENTS.

## HAPPY HOUR MONDAY-FRIDAY TILL 7PM

\$2 BOTTLES BUD LT/BUD/MILLER LT/COORS LT

\$3 DOMESTIC DRAFTS

\$4 CRAFT DRAFTS

\$11.99 DOMESTIC BUCKETS

\$3 TEQUILA

\$4 HOUSE WINE

\$5 SHARABLE APPETIZERS

NO UPCOMING EVENTS.

COPIA

**Sales, Patricia**

---

**From:** rana@bellsouth.net  
**Sent:** Thursday, May 06, 2021 12:45 PM  
**To:** Lewis, Bruce  
**Cc:** Sales, Patricia  
**RE:** Application E-21-16

**EXTERNAL EMAIL:** This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

I originally sent this the psales email but it came back undeliverable.

Thank you,  
Rana Rukab

**From:** rana@bellsouth.net <rana@bellsouth.net>  
**Sent:** Thursday, May 6, 2021 11:48 AM  
**To:** 'blewis@coj.net' <blewis@coj.net>; 'psales@coj.net' <psales@coj.net>  
**Subject:** Application E-21-16

Please forward to all Planning Commission Members:

I am emailing to express my strong opposition to Application E-21-16 for a restaurant and bar with outdoor seating going into the old Village Inn. I have lived in my home for almost 45 years and have enjoyed the community which is made up of various people from all kinds of different backgrounds. Although there is a large Jewish population, I am not Jewish. But I feel a strong connection and sense of community in this neighborhood.

Below are portions of the minutes from the meeting that was held on April 22 regarding the school increase from 20 to 50 students for application E-21-17, which is located right next to the Village Inn restaurant. Not only do the people who live in the neighborhood point out the large pedestrian traffic, but even the Chairman points out the pedestrian traffic and the fact that increasing the number of students will increase pedestrian traffic.

So how can the school be approved with acknowledgement it will increase foot traffic but then a restaurant/bar approved that will increase vehicle traffic with increased chance of drunk driving. Those two things seem in contradiction to each other.

---

MS. FLEET: Mr. Chairman, the Chabad has been in this location since about 1984. They had the school approved back in 2013, and they got the waiver as Mr. Folks [sic] said. What they would now like to do is construct some units in the back and to have economy of scale in demand. They would like to increase it to 50 students. Right now they don't have 50, but they're hoping to be able to grow to that. But the units -- in order to construct it, you have to at least plan on that many units. It provides a transitional use to the commercial and the residential. It's very quiet in that neighborhood. The - most of the students live in that neighborhood and there's a lot of walking. And if they go out of the neighborhood, they have to go down Haley Road anyway, so it's really not creating any more traffic than is existing in the neighborhood.

2021-374

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MR. MILNER: I just wanted to briefly point out to the Commission that it is the only -- that the Chabad is located in the only -- the largest and arguably only Orthodox Jewish community between Daytona and Orlando, so there's larger communal implications for the decision of the Commission in this case. THE CHAIRMAN: Great. Thank you, sir

MR. WYNN: Commissioners, I am very much in favor of this application. I wanted it to be on record that this fits the character of our community. It's -- while I do think that the vehicular traffic won't be an issue, I do think that there will be more pedestrians, which is a good thing. It fits in with the Comprehensive Plan of the City of Jacksonville. It fits in with multimodal transportation efforts that we're going through in Duval County. I think that this is a good thing. I wanted that on record before the next one

MR. MECKE: The -- I was doing a lot of surveying for the other issue, but one thing that came up to me was the fact -- of several of the neighbors was the fact that, you know, you've got a two-lane road and they have got people dropping off and picking up during the day. It's going to -- you know, it's going to be a traffic issue. It's bad enough now. You've got traffic coming in off of Scott Mill, down Bernice and down Haley. You've got the sorriest -- one of the sorriest lights in town on the corner of Haley and San Jose. You may get 10 seconds to turn; you may get 30. You get people backed up; they're going to get lantsy. They see the light turn, and then all this traffic, you know, people blocking traffic and all. That's the only point I would like to make

COMMISSIONER HACKER: Thank you. Just a quick comment, through the Chair. I think the use is appropriate. It seems like it's a moderate increase in the number of students. I did appreciate the person from the public coming and letting us know about the Orthodox community that we have out there. That's pretty interesting, so I'm in support of it. THE CHAIRMAN: Thank you. Commissioner Brown. COMMISSIONER BROWN: Thank you. Through the Chair, I used to live right around the corner, over by Big Tree, and it is a very pedestrian, Jewish-centric area and a lot of foot traffic. So I'm not too concerned about the additional 30 students and traffic. I do think that would be a lot of pedestrian traffic

---

There are 3 religious institutions and 2 schools within this zoning. Please consider the impacts on children and families when making this extremely important and potentially life-changing decision.

I am confident that this committee takes very seriously the responsibility of their roles and decision making. I know they are trying to do what's best for the community at large. Therefore, I am requesting:

1. I strongly encourage the committee members to come witness for themselves the amount of pedestrian traffic and how the proposed restaurant/bar would impact the neighborhood. Please come on a Friday evening when foot traffic is at it's highest and at the same exact time of the proposed bar "Happy Hour". I urge you to see for yourself so that you can make an informed decision that will affect the lives of an entire community.
2. I am requesting a traffic study be conducted at our street on Haley Road and San Jose Blvd. This will provide more insight into the impact of this proposed establishment.

I am unable to be there in person today and request this email be recognized by the committee.

Thank you,  
Rana Rukab  
2986 Qakisle Rd N  
Jacksonville, FL 32257

## Sales, Patricia

---

**From:** Sales, Patricia  
**Sent:** Wednesday, May 05, 2021 4:02 PM  
**To:** Alex Moldovan; Daniel Blanchard; David Hacker; dawn motes; Dawn Motes; Ian Brown; Jason Porter; Josh Garrison (joshua@pcgarrison.com); Marshall Adkison  
**Subject:** FW: Conditions to E-21-16 and Companion  
**Attachments:** Parking Lot exit.pdf; Parking Lot exit.pdf

**From:** Huxford, Folks <FHUXFORD@coj.net>  
**Sent:** Wednesday, May 05, 2021 2:33 PM  
**To:** Sales, Patricia <PMacer@coj.net>; Joshua Garrison <joshua@pcgarrison.com>  
**Subject:** FW: Conditions to E-21-16 and Companion

For the Planning Commission members...

**From:** Levine G & D <[levine.gordondebra@gmail.com](mailto:levine.gordondebra@gmail.com)>  
**Sent:** Wednesday, May 05, 2021 2:00 PM  
**To:** Huxford, Folks <FHUXFORD@coj.net>  
**Subject:** Conditions to E-21-16 and Companion

**EXTERNAL EMAIL:** This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Mr. Huxford:

Good afternoon!!

Regarding E-21-16 and Companion W L D 21-04 on tomorrow's agenda, I have attached a request for Conditions for the Commission's consideration. How is it transmitted to the Commission? I'll be at the meeting tomorrow to discuss.

I sent this document to Mr. Matt Harris yesterday; I've not received a reply. Last night he sent us an email informing us that he is meeting with a "working group" today to finalize changes. Have you received anything from Mr. Harris? If so, can we get a copy?

As always, thank you for your assistance.

Gordon Levine  
904-563-1667

Requested Conditions to current driveway egress onto Haley Lane

**Discussion:** Applicant's original submission requested modification to existing zoning at 10140 San Jose Boulevard which will likely increase vehicular traffic onto adjoining residential street Haley Road. Per Applicant's submitted Site Plan (Exhibit "C") there are two entrances/ exits to the site. Shown on Attachment 1 to this document, Driveway "2" exits directly onto Haley Road. Currently, traffic exiting Driveway "2" to the right (west) will immediately encounter a currently unmarked pedestrian crossing, as shown in Attachment 2/ Applicant's "Aerial View."

There is **no distance** from the driveway to the crossing - see aerial view. Also, the driveway crosses the pedestrian sidewalk, creating additional potential hazard.

The crossing/intersection is active, particularly on approximately 94 Sabbaths and Holy Days per year. This results in approximately 190 crossings given walking to and from religious services multiple times each of those days.

We wish to minimize the possibility of vehicles exiting right / west onto Haley Road from hitting pedestrians and baby strollers/ carriages.

The following are Requested Conditions to E-21-16 (companion W L D-21-04):

1. Require Applicant to paint a "**left turn only**" white arrow on the pavement.
2. Require applicant to post, as appropriate, Stop sign, no right turn and pedestrian warning at driveway exit.

**Summary:** Patrons of the proposed Time Out

Sports Grill will have full access to Haley Road by exiting the driveway "1" onto San Jose Boulevard's right turn lane and turning right at Haley Road. Pedestrian safety will be enhanced because the San Jose intersection

is controlled by a traffic light and will give drivers ample warning of pedestrians on Haley Road.

Respectfully submitted

Gordon Levine

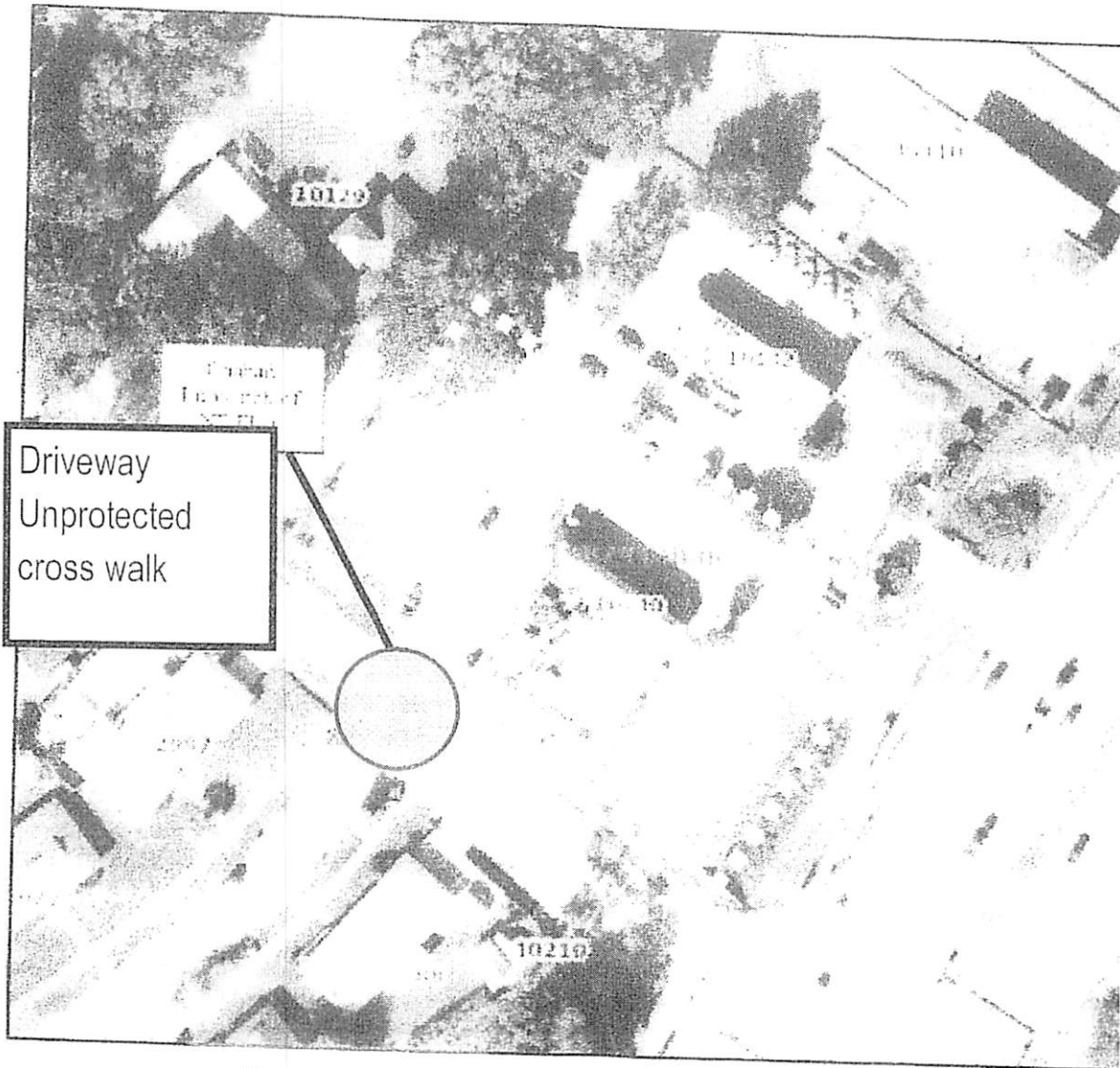
3114 Watson Drive



Left  
Turn



Requested Conditions to current driveway egress onto Haley Lane



Source: JaxGIS Aerial View

## Attachment 2 / Aerial View

## Sales, Patricia

---

**From:** Sales, Patricia  
**Sent:** Wednesday, May 05, 2021 4:02 PM  
**To:** Alex Moldovan; Daniel Blanchard; David Hacker; dawn motes; Dawn Motes; Ian Brown; Jason Porter; Josh Garrison (joshua@pcgarrison.com); Marshall Adkison  
**Subject:** FW: Conditions to E-21-16 and Companion  
**Attachments:** Parking Lot exit.pdf; Parking Lot exit.pdf

**From:** Huxford, Folks <FHUXFORD@coj.net>  
**Sent:** Wednesday, May 05, 2021 2:33 PM  
**To:** Sales, Patricia <PMacer@coj.net>; Joshua Garrison <joshua@pcgarrison.com>  
**Subject:** FW: Conditions to E-21-16 and Companion

For the Planning Commission members...

**From:** Levine G & D <[levine.gordondebra@gmail.com](mailto:levine.gordondebra@gmail.com)>  
**Sent:** Wednesday, May 05, 2021 2:00 PM  
**To:** Huxford, Folks <FHUXFORD@coj.net>  
**Subject:** Conditions to E-21-16 and Companion

**EXTERNAL EMAIL:** This email originated from a non-COJ email address. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Mr. Huxford:

Good afternoon!!

Regarding E-21-16 and Companion W L D 21-04 on tomorrow's agenda, I have attached a request for Conditions for the Commission's consideration. How is it transmitted to the Commission? I'll be at the meeting tomorrow to discuss.

I sent this document to Mr. Matt Harris yesterday; I've not received a reply. Last night he sent us an email informing us that he is meeting with a "working group" today to finalize changes. Have you received anything from Mr. Harris? If so, can we get a copy?

As always, thank you for your assistance.

Gordon Levine  
904-563-1667

Received

TO THE PLANNING COMMISSION, CITY OF JACKSONVILLE

We, the undersigned neighborhood residents, urge the Planning Commission to deny Applications WLD-21-04 and E-21-16 filed by Matt Harris on behalf of Time Out Sports Grill Mandarin, concerning the property at 10140 San Jose Boulevard. The proposal does not meet the criteria set out in the application, specifically ii, iii, iv, and vi.

The sports bar use is not compatible with existing uses in the neighborhood. The parking lot abuts a religious institution, Chabad, and right next to that is another religious institution, the Korean Baptist Church.

The entrance to the parking lot of the property leads right into the Starshire Subdivision, a very small, quiet subdivision that has been a safe and comfortable place to live since it was built in the 1970's. The intersection where the sports bar will be located is one that is used by a lot of foot traffic every Friday night and Saturday, with people crossing to attend synagogues in the area. The promised crossing guards will not solve the problem, and will not allow people to reach their synagogues in a safe and dignified manner.

Haley Road is a narrow street where the views are obstructed by the wonderful trees which give the neighborhood its character. There are children and seniors walking on that street every day. Attracting drivers unfamiliar with the area, and possibly impaired by alcohol, on that road is a recipe for disaster.

The San Jose intersection has already had one fatal accident and at least two crippling accidents, and many, many near misses.

Outdoor seating will create noise that will deprive us of the peaceful use of our outdoor spaces and of the ability to open our windows when the weather is favorable. Also, apart from the noise of the bar, the patrons are likely to be blasting their radios when they arrive or leave, further disrupting our quiet.

A sports bar is very different from the restaurants which exist near our neighborhood, and it doesn't meet any needs of the immediate neighborhood—it just endangers the neighbors with traffic and noise.

ELIZABETH HAMAOUI 3090 CORNELIA DR. ✓  
NAME (PLEASE PRINT) ADDRESS

Ariella Abrams 3044 Haley Lane ✓  
NAME (PLEASE PRINT) ADDRESS

Exhibit A B C D E F ( )
App./Ord. Number <u>E-21-06 / WLD-21-04</u>
Date Submitted <u>4-22-21 PC mtg.</u>
Submitted by <u>Gloria Ewstein</u> 2021-374
<u>ON FILE</u>

LOCAL RESIDENTS OPPOSED TO APPLICATION WLD-21-04 and E-21-16 FILED BY MATT HARRIS ON  
BEHALF OF TIME OUT SPORTS GRILL MANDARIN

✓ Victoria Akel	3054 Haley Ln Jax, FL 32257
NAME (PLEASE PRINT)	ADDRESS
✓ Amy May	3004 Haley Lane Jax, FL 32257
NAME (PLEASE PRINT)	ADDRESS
✓ Stefan Wynn	3057 Haley Ln. Jacksonville, FL 32257
NAME (PLEASE PRINT)	ADDRESS
✓ Autumn Wynn	3057 Haley Ln. Jacksonville, FL 32257
NAME (PLEASE PRINT)	ADDRESS
✓ Cynthia Handmaker	3041 Haley Ln. Jax, FL 32257
NAME (PLEASE PRINT)	ADDRESS
✓ Victoria Fowler	3049 Haley Ln Jax FL 32257
NAME (PLEASE PRINT)	ADDRESS
✓ John E Citrone	3049 Haley Lane Jax FL 32257
NAME (PLEASE PRINT)	ADDRESS
✓ Arlene Rubin	3033 Haley Lane Jax FL 32257
NAME (PLEASE PRINT)	ADDRESS
✓ Gira Patel	3026 Jacob Fixel Ct. 32257
NAME (PLEASE PRINT)	ADDRESS

LOCAL RESIDENTS OPPOSED TO APPLICATION WLD-21-04 and E-21-16 FILED BY MATT HARRIS ON  
BEHALF OF TIME OUT SPORTS GRILL MANDARIN

✓ Nishant Patel 3020 Jacob Fixel Ct.

NAME (PLEASE PRINT)

ADDRESS

✓ Shirley Bielski 3032 Jacob Fixel Ct.

NAME (PLEASE PRINT)

ADDRESS

✓ Ape Rulish 3032 Jacob Fixel Ct.

NAME (PLEASE PRINT)

ADDRESS

✓ Beverly Burchett 3056 Jacob Fixel Ct.

NAME (PLEASE PRINT)

ADDRESS

✓ Peter Burchett  
PETER BURCHETT 3056 JACOB FIXEL CT.

NAME (PLEASE PRINT)

ADDRESS

✓ Michael Keston 3062 Jacob Fixel Ct.

NAME (PLEASE PRINT)

ADDRESS

✓ Monique Keston 3062 Jacob Fixel Ct.

NAME (PLEASE PRINT)

ADDRESS

✓ Christa Hill 3020 Jacob Fixel Ct.

NAME (PLEASE PRINT)

ADDRESS

NAME (PLEASE PRINT)

ADDRESS



To the Planning Commission, City of Jacksonville

Re: Applications WLD 21-04 and E-21-16

We, Widad and Yousef Zacharia, have lived at 2987 Starshine Cove, on the corner of Starshire Cove and Haley Lane, request that you deny the applications to allow a sports bar across the street from our house.

We are 70 and 74 years old. Yousef is on dialysis and is occasionally hospitalized. Widad is then alone in the home.

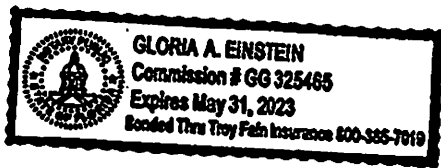
We have lived here for 26 years but we would move away if there were a sports bar across the street. Our eight grandchildren spend two months here every summer but we would not allow them to be so close to a sports bar.

We are worried about the traffic and would not be comfortable walking in the neighborhood if there was a sports bar here. We are also very worried about the noise.

I would gladly come to the Planning meeting but I have to pick up grandchildren at the time. Yousef is too sick to attend.

Zacharia page 2

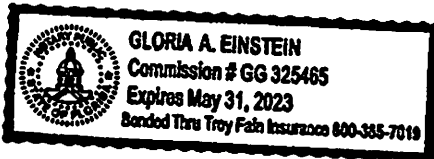
It would be very hard to leave our home because of Yousef's illness, but we would feel forced to leave if The Commission allows a sports bar across the street.



Widad Zacharia

Widad Zacharia

Sworn to and subscribed before me, Gloria A. Einstein, Notary, by Widad Zacharia who produced identification in the form of a Florida Driver's License



Yousef Zacharia

Sworn to and subscribed before me, Gloria A. Einstein, Notary, by Yousef Zacharia, who produced identification in the form of a Florida Driver's License

## **Time Out Meeting – April 27, 2021**

This afternoon, Bobby Handmaker and I met with Matt Harris and a backup attorney from Rogers Towers.

We prefaced that our goal was for this to be a productive meeting but that there are issues of great concern to the community.

### **Excessive Noise**

We had asked to see the copy of the plans that they had submitted to the commissioners on Thursday. It showed a now smaller outdoor deck that had moved so the San Jose side, however it was on the Haley corner and not the Popeye's corner. It was addressed that this is an improvement, but it still created the opportunity for noise and (a much smaller, but existent) access to pedestrians on Haley Road.

### **Parking**

We addressed the fact that he did not have enough parking and made the suggestion that he create a relationship with the Clifford Newton PA office, which has 20 parking spaces to have his staff and some overflow park there. He also should create a relationship with a towing company to be able to quickly tow a car that may be improperly parked on Haley. He should help facilitate signage at his establishment and along Haley that states that there is no parking in this residential area. They will need to contact the city and work with them to implement. We also shared that this is in their best interest so they are not liable if any incidents that happen within the neighborhood. The no parking zone would include Haley from San Jose through Haley Lane (including Starshire, Oakisle, Mandarin Hollow).

### **Haley Road Driveway**

We stressed that this was the actual starting point of all activity we wanted to see and followed with a wall that stretched from the Chabad wall to the front of the property, blocking his deck on the Haley Road side. In fact, it was reiterated that the wall was the first, second and third priorities above everything else.

If the wall is up, it would block people from driving drunk on Haley, cut the sound from the deck and parking lot, keep smokers and wanderers off the street and help block those at the establishment from viewing the walkers on their way to and from shul.

It was actually pitched as a community marketing opportunity, allowing for youth organizations to have contests to paint sports murals on either side to promote the venue.

### **Crossing Guard**

We shared that this was unnecessary, but if he was planning on making this investment then it should be an off duty copy on "beat patrol" to ensure no one drives drunk and that the patrons stay out of the community.

### **Location**

We asked him why this was the location he selected and needed to be at. He provided us with a demographic answer. We asked why he had not looked at better options, such as the old Al's Pizza (which we then learned had recently been sold) and Kmart (which changed the entire expression of his face. He has no intention, at the moment, to consider another location.

### **Smaller Issues**

Suggested that the basketball tournament take place as the JCA with Time Out as the sponsor. It was made clear that if he fills the parking lot with basketball courts, there will be no place for patrons to park.

We made mention of a request for a Kosher food option. The response was that it would be very difficult to manage.

We questioned that his menu was lacking main courses and a kids menu and he said he would be adding items.

### **Investors**

At the end, I asked him who his investors are. He provided a very direct answer that the business is a private corporation and he does not need to tell us. However, he did share that they were all Jewish. Which leads me to believe that these are all friends of his father and father's girlfriend (Sue Eaglstein. Yes, THAT Sue Eaglstein) and possibly prominent, well known, people in the Jewish Community – which makes this whole situation worse.

### **His Concern**

His two concerns were that there would be others in the community to negotiate with and that even after negotiating someone might be displeased with the situation and file any type of injunction. I assured him that this is the only negotiation he will be having but we would not guarantee that an individual homeowner may not still have an issue and go to court. He seemed somewhat upset by that.

### **Hours of Operation**

He confirmed that what he entered on his application for weekday hours was not true. His intent was for the *outdoor patio* to be closed by 9 each day. The report that the city developed confirmed that his request was for the restaurant to close at 9. He was informed that there will be a number of people who will not be happy with this. However, if we do get the wall, and he does close the deck at 9, it may not be that big of an issue for him to operate, with all of his sound indoors, until 11.

### **Next Steps**

He told us he will bring these back to his investors and schedule a time to get back with us.