

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2013-0342 TO**  
**PLANNED UNIT DEVELOPMENT**  
**NOVEMBER 14, 2013**

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2013-0342** to Planned Unit Development.

***Location:*** 3946 and 4000 St. Johns Avenue; at the southeast corner of the St. Johns Avenue and Herschel Street intersection, on the south side of St. Johns Avenue

***Real Estate Number(s):*** 092703-0000 and 092941-0000

***Current Zoning District:*** Planned Unit Development (PUD) per Ordinance 2005-1330

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** High Density Residential (HDR) (2.56 acres) and Community General Commercial (CGC) (3.3 acres)

***Planning District:*** Southwest - 4

***City Council Representative:*** The Honorable Jim Love, District 14

***Applicant/Agent:*** Steve Diebenow, Esq.  
Driver, McAfee, Peek & Hawthorne, PL  
One Independent Drive, Suite 1200  
Jacksonville, FL 32202

***Owners:*** Jacksonville Harbor Limited Partnership  
Michael Balanky  
3728 Philips Highway, Suite 360  
Jacksonville, FL 32256

St Johns Village Center, LLC  
Michael Balanky  
3728 Philips Highway, Suite 360  
Jacksonville, FL 32256

***Staff Recommendation:*** **APPROVE WITH CONDITIONS**

### GENERAL INFORMATION

Application for Planned Unit Development (PUD) **2013-0342** seeks to rezone approximately 5.86 acres of property comprised of two parcels from Planned Unit Development (Ord. 2005-1330) to Planned Unit Development. This rezoning seeks to allow the redevelopment of two nonconforming and non-contributing structures within the Riverside Avondale Zoning Overlay Commercial Character Area into an infill multi-family development project, which will contain a mix of retail and commercial uses.

The site of this proposed infill redevelopment project is the existing Commander apartments, located at 3946 St. Johns Avenue, and the adjacent St. Johns Village shopping center, located at 4000 St. Johns Avenue. The Commander Apartments were built as a seventeen (17) story, 90 unit apartment building in 1961. The adjacent St. Johns Village parcel has historically contained commercial uses and is currently developed with over 50,000 sq. ft. of commercial/retail space. The property is bounded on the north by St. Johns Avenue, to the west by Herschel Street, and by Fishweir Creek on the south. The property is located in the "Commercial Character Area" of the Riverside Avondale Zoning Overlay and the "Urban" development area of the FLUM series.

The property is currently zoned PUD pursuant to Ordinance 2005-1330, which permits 166 residential units and 20,000 square feet of retail/commercial space. By condition "G" of Ordinance 2005-1330, the 2.56-acre Commander parcel is limited to 100 units. The remaining 66 will be located on the 3.3-acre St. Johns Village parcel. The existing PUD allows an average of 1,700 square feet per unit and contains building heights ranging from 45 feet to 185 feet. Condition "C" of the Ordinance 2005-1330 also states that prior to commencement of any construction activities for the proposed development, the developer shall deposit \$800,000 in an interest bearing account identified by the City to be used for the costs associated with dredging Fishweir Creek. The detailed terms of this condition shall be set forth in a separate agreement with the City, which shall include terms regarding draw requests and refund of any excess funds.

The proposed development contemplates a total of 260 residential units (with an average of 1,000 sq. ft. per unit) and over 10,000 square feet of commercial space across the property, comprising 118,000 square feet of lot coverage across 5.86 acres. Three (3) residential structures are planned which will replace the residences in the existing 17-story Commander apartments; as well as a commercial structure, parking garages, a public boardwalk with eighteen (18) boat slips along Fishweir Creek and a public kayak launch into Fishweir Creek. The developer will reserve approximately 144,600 square feet of combined active and passive open space. The proposed PUD contains building heights ranging from 24 feet to 56 feet.

The Riverside Avondale Zoning Overlay is divided into five (5) distinct Character Areas. These areas are Historic Residential, Commercial, Office, Industrial, and Urban Transition Character Areas. The property is in the Commercial Character Area (CCA). The Commander Apartments building was built in 1961 with 90 units and the adjacent St. Johns Village parcel has historically contained commercial uses. It is currently developed with over 50,000 sq. ft. of commercial/retail space.

The rezoning to PUD is being sought to replace the existing Commander Tower apartments with the proposed "Building 300" of various elevations, and the highest point being 56 feet. This residential building is the largest proposed with a maximum of 154 units. The existing commercial structures located on the central and western portions of the property will be replaced with a mix of structures which will accommodate commercial/retail, office, and 106 multi-family units and parking uses.

### **CRITERIA FOR REVIEW**

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

*(1) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?*

Yes, the Planning and Development Department finds that the subject property is located within the High Density Residential (HDR) and the Community General Commercial (CGC) Land Use categories as defined by the Future Land Use Map series (FLUMs) as part of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

The High Density Residential (HDR) land use category is a mixed use category intended to provide compact high density residential development and transitional uses between lower density residential uses and commercial uses and public and semi-public use areas. Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor. In addition, all development on sites which abut a Low Density Residential and/or Rural Residential land use designation shall provide the following:

A scale transition as defined and illustrated in this element; residential uses shall be arranged on the site to provide a transition between new non-residential uses and the protected abutting residential land uses to the greatest extent feasible; and elements such as yards, open space, at-grade parking and perimeter walls shall be arranged, designed and landscaped in a manner compatible with adjacent areas to serve as a visual buffering element.

HDR in the Urban Area is intended to provide compact medium to high density mixed use development. The maximum gross density in the Urban Area shall be 60 units per acre and the minimum gross density shall be 20 units per acre. Uses shall be sited in a manner to promote internal pedestrian and vehicle circulation and ease of access between abutting uses and sites and to limit the number of driveway access points on roads classified as arterials on the Functional Highway Classification Map. To promote a more compact, pedestrian-friendly environment, off street parking shall be located behind or to the side of buildings to the greatest extent possible. Structured parking is encouraged, provided it is integrated into the design of the overall devel-

opment and is compatible with surrounding neighborhoods. High rise multi-family and mixed use developments should be the predominant development typology in this category.

The CGC category places emphasis on commercial uses, office uses, multi-family residential and uses associated with TODs. The intent of the CGC category is “to provide compact development in nodal and corridor development patterns, while promoting the advancement of exiting commercial land uses and the use of existing infrastructure. Development that includes residential uses is preferred to provide support for commercial and other uses.” Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including, but not limited to, transitions in uses, buffering, setbacks, the orientation of open space, and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor. Residential uses shall not be the sole use in the CGC category and shall not exceed 80 percent of a development. The 80/20 policy calculation is as follows:

The 80% residential is calculated based on the maximum density of the land use category. The 20% non-residential is based on the 0.35 Floor Area Ratio for CGC (FAR).

For this CGC site:

Dwelling Units - CGC Non-CHHA (3.01Ac X 40) X 0.80 = 96 Units + CGC CHHA (0.29Ac X 20) X 0.80 = 5 Units (Total 101 Dwelling Units)

Non-Residential - (3.3Ac X 0.35) X 43,560 sq. ft. X 0.20 = 10,062 sq. ft. non-residential uses

The number of residential dwelling units could be increased up to the maximum density in the land use category as long as the 80/20 ratio is maintained.

Approximately 0.29 acres of the Village Parcel is located within the Coastal High Hazard Area (“CHHA”) and limited to 20 units per acre. The density for the Village Parcel, as calculated above is 20 units x 0.29 acres = 6 units + 40 units x 3.01 acres = 120 units. The total permitted density on the property per the HDR and CGC land use designations is 280 units. The applicant is proposing to construct 260 units, which is 20 units less than the allowable density.

To protect the abutting single-family residential land uses to the northeast, a combination of a seven to eight (7-8) foot high visual barrier not less than ninety-five percent (95%) opaque and an average of thirty (30) feet of landscaped area will be installed along the common boundary with the adjacent DuPont Circle residences to the northeast to form a sound and visual screen buffer from the residences.

*(2) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?*

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

*(3) Does the proposed rezoning conflict with any portion of the City’s land use Regulations?*

The written description and the site plan, as conditioned, meets all portions of the City's land use regulations and further their intent by providing specific development standards.

Pursuant to the provisions of Sections 656.341(d) and 656.399.13 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

*(1) Consistency with the 2030 Comprehensive Plan*

The 2030 Comprehensive Plan, under the Urban Area Intent section for the CGC land use, seeks "to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure.

Development that includes residential uses is preferred to provide support for commercial land uses in preferred to provide support commercial and other uses." As the emphasis under the 2030 Comprehensive Plan is focused on development that includes residential uses to provide support for commercial and other uses, the proposed project, as conditioned, reflects the intent of the 2030 Comprehensive Plan.

An HDR-designated parcel in the Urban Area is intended to provide multi-family dwellings organized vertically at a maximum gross density of sixty (60) units per acre. A CGC-designated parcel in the Urban Area allows multi-family dwellings in a mixed use development at a maximum gross density of forty (40) units per acre. This proposed rezoning to Planned Unit Development, as conditioned, is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies.

The Future Land Use Element (FLUE) Policy 1.1.8 "Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies." This supports the requirements of the project to meet the strict letter of the law regarding setbacks, landscape buffers, and all other requirements found in Chapter 656. The proposed development clusters multi-family and commercial uses to promote infill and mixed-use development. Incorporating buffers and landscaping into the development softens the effects on adjoining properties maintaining the emphasis on preserving the character of the area under the Overlay.

FLUE Policy 1.1.16: "Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through: 1. Creation of like uses; 2. Creation of complementary connections; 3. Enhancement of transportation connections; 4. Use of noise, odor, vibration and visual/aesthetic controls; and/or 5. Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses." This policy supports the proposed height limitations, minimum setbacks, uncomplimentary buffers and open space.

FLUE Policy 2.2.8 of the 2030 Comprehensive Plan states that the City shall “Encourage the re-development and revitalization of run-down and/or under-utilized commercial areas; adopt re-development and revitalization strategies and incentives for private reinvestment in under-utilized commercial areas where adequate infrastructure to support redevelopment exists.”

FLUE Policy 3.2.2 of the 2030 Comprehensive Plan states “The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.”

FLUE Policy 3.2.3 states “The City shall prohibit the expansion or replacement of commercial uses that do not meet applicable locational criteria of the 2030 Comprehensive Plan and have an adverse impact on adjoining or nearby uses. Consider office and high density residential development as a viable alternative in land use reviews.”

FLUE Policy 3.2.4 “ The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.”

FLUE Policy 3.2.6 “The City shall encourage neighborhood commercial uses to be located within one quarter mile of the intersections of roads classified as collector or higher on the Functional Highway Classification Map, except when such uses are an integral component of a mixed use development, Traditional Neighborhood Development (TND), Transit Oriented Development (TOD), Rural Village or similar development. The City should prohibit the location of neighborhood commercial uses interior to residential neighborhoods in a manner that will encourage the use of local streets for non-residential traffic.”

FLUE Policy 3.2.8 “The City shall encourage the reorientation and combined use of existing curb cuts and/or parking lots or minimize the negative impact of non-residential development on adjacent residential uses and the transportation system.”

FLUE Policy 3.2.10 states that the City shall “encourage redevelopment and revitalization of rundown strip commercial areas.”

FLUE Policy 3.4.5 “The City strongly encourages the functional and visual integration of existing or planned transit facilities into adjacent developments through the use of design features, including, but not limited to safe, convenient, and attractive pedestrian connections.” This is supported by the PUD provision’s for improvements to St Johns Avenue and for a central pedestrian walk way connecting St Johns Avenue to the structures, helping to emphasize the pedestrian nature of the area and maintain safe access from the street to the structure.

The intent of the Overlay is to maintain the historic development and established character of the area. The proposed PUD aims to achieve that through the location of uses, incorporation of residential setbacks, buffers, and pedestrian walkways. The approval of this PUD under the stated conditions is consistent with the intent of the Overlay and the 2030 Comprehensive Plan.

*(2) Consistency with the Concurrency Management System*

Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency Management System Office (CMSO) prior to development approvals.

*(3) Allocation of residential land use*

The proposed Planned Unit Development contemplates 260 multi-family units for the property, which is consistent with the HDR and CGC land use categories permitted densities.

The maximum gross density in the HDR Urban Area is 60 units per acre. The 2.56 acre Commander Parcel is designated HDR. The density of the Commander Parcel is 60 units x 2.56 acres = 154 units. The maximum gross density in the CGC Urban Area is 40 units per acre. Sites or portions thereof located within the Coastal High Hazard Area (“CHHA”) are limited to 20 units per acre. Approximately 0.29 acres of the Village Parcel is located within the CHHA. The density for the Village Parcel is 20 units x 0.29 acres = 6 units + 40 units x 3.01 acres = 120 units. The total permitted density on the property per the HDR and CGC land use designations is 280 units. The applicant is proposing to construct 260 units, which is 20 units less than the allowable density. Although the property is located on a navigable waterway, the applicant is not seeking to utilize the allowable ten percent (10%) density bonus pursuant to the Comprehensive Plan. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For the 2030 Comprehensive Plan’s Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

*(4) Internal compatibility*

The proposed PUD zoning district limits the permitted uses and provides for a common development and aesthetic scheme. A total of 260 residential units and minimum 10,000 square feet of commercial space will be located across the property, comprising approximately 118,000 square feet of lot coverage across 5.86 acres. The developer will provide an additional 144,600 square feet of active and passive open space. The height restrictions placed on the development via the written description of the PUD are more appropriate than those heights allowable under the current PUD zoning. Building heights transition within the site from the peripheries, thereby minimizing the impact of the development on the nearby single-family residential homes. The buildings will vary in height from twenty-four (24) feet, not including architectural features, to fifty-six (56) feet, and will be architecturally compatible with the Riverside/Avondale area.

The buildings will be located as shown on the site plan and will be separated from vehicular use areas by sidewalks and landscaping. The PUD provides a thirty-foot setback from the northeastern property boundary to provide more distance from the adjacent single-family dwellings. The Commercial Character Area of the Overlay only requires a ten (10) foot setback. Also, a seven to eight (7-8) foot high visual barrier not less than ninety-five percent (95%) opaque and an average 30’ wide landscaped area, to include canopy trees, understory trees and shrubs will be constructed along this perimeter of the property to provide additional separation between the adjacent single-family dwellings and proposed multi-family development. This will help buffer the single-family dwellings to the east from the taller multi-family residential structure.

The Development will feature courtyards adjacent to each building complete with benches and landscaping per Part 12, Jacksonville Zoning Code. The development will promote the use of Fishweir Creek on the Village Parcel by installing a public Kayak Launch and a public boardwalk along Fishweir Creek, each of which will be accessible via a pedestrian walk from St. Johns Avenue. The current streetscape will be redeveloped in accordance with 656.399.32 (b). Additionally, the planted trees must be canopy trees chosen so as to reach a minimum height of 40 feet in order to provide shade for pedestrians.

Automobiles may enter the development from two entrances on St. Johns Avenue, one on the Commander Parcel, and a second on the Village Parcel opposite from and aligning with Riverside Avenue. Approximately 112,000 square feet of garage parking will be integrated with Buildings 300 and 100; and guest parking will be provided adjacent to the main circular drive or on the surface lot located on the Village Parcel with an internal pedestrian connection per 656.399.30 of the Zoning Code.

*(5) External Compatibility*

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

The proposed development is located in an area where commercial and residential uses abut. The existing sidewalk shall be replaced with historic pavers per 656.399.29(3) of the Zoning Code along all street frontages, and the developer is seeking approval from the FDOT to reduce the northbound St Johns Avenue travel lane to eleven (11) feet in order to create a more pedestrian friendly streetscape and slow traffic and install a green right-of-way with a curb in between the sidewalk and the street along all street frontages. Pedestrian connections shall be established from the right-of-way to buildings according to section 656.399.30. A public boardwalk shall be constructed along Fishweir Creek at a minimum width of eight (8) feet, with public access provided to and from the public boardwalk from Herschel Street and St. Johns Avenue. The adjacent single-family residential uses will be separated from the development by a seven to eight (7-8) foot high visual barrier not less than ninety-five percent (95%) opaque and an average 30' wide landscaped area, to include canopy trees, understory trees and shrubs.

The existing Commander Apartments building, as well as the heights permitted per PUD Ord. 2005-1330 is too tall and incompatible with the neighboring single-family community. This PUD proposes lower heights and better buffers; and in addition to the planned St Johns Avenue right-of-way improvements creates a development that's more compatible with the surrounding area.



The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	CGC	CCG-1	Commercial/Convenience Store
South	N/A	N/A	Fishweir Creek
East	CGC	CCG-1	Single-family residential
West	LDR	RLD-60	Retail/Office

*(6) Intensity of Development*

The proposed development is consistent with the HDR and CGC functional land use categories as a residential and commercial development. The PUD is appropriate at this location because it will support the existing residential, commercial, and office establishments in the area.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:

The site is located just east of the signalized St Johns Avenue/Hershel Street intersection and abuts Fishweir Creek. St. Johns Avenue (SR 211), a state maintained two-lane arterial, will provide direct access to St. Johns Village. The proposed development will not have access to Hershel Street (SR 211) which is also a state maintained two-lane arterial.

The 2012 Florida Department of Transportation (FDOT) Level of Service (LOS) Report shows that both St. Johns Avenue and Herschel Street are operating at LOS “D” (acceptable) during the PM peak hour. St. Johns Avenue accommodates 8,700 vehicles per day and 783 vehicles during the PM peak hour. Hershel Street has a daily traffic count of 11,000 vehicles per day and 990 vehicles during the PM peak hour. The daily and PM peak hour capacities for both St. Johns Avenue and Herschel Street are 14,800 vehicles per day and 1,330 vehicles during the peak hour. Both arterials have the capacity to accommodate the traffic generated by the proposed redevelopment of the site.

Even though St. Johns Avenue has excess roadway capacity available to accommodate traffic generated by the proposed redevelopment of the site, the Department has a concern for traffic safety on St. Johns Avenue at the proposed Driveway #2 which is the entrance to the site’s main residential building and the parking garage. Driveway #2 is located slightly downstream (west of Canterbury Street) from the point where St. Johns Avenue curves towards DuPont Circle and points beyond. The Department feels this curvature presents a potential safety hazard (blind spot) for project residents/patrons utilizing Driveway #2 as well as area residents traveling west-bound on St. Johns Avenue. A potential solution is to move Driveway #2 westward from its proposed location to more closely align with the driveway of the Ale Pie House on the opposite side of St. Johns Avenue and extend the existing center turn lane on St. Johns Avenue east past Driveway #2. This will enhance the safety of the left turn movements from St. Johns Avenue into Driveway #2 by providing a dedicated left turn lane and provide for increased stacking opportunity for traffic turning left at Driveway #1.

This road segment currently has sufficient capacity to accommodate the traffic generated by this development. Since St. Johns Avenue from Geraldine Road to Edgewood Avenue is a state facility, access to the proposed development must be subject to FDOT access management requirements.

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands:

The proposed PUD zoning district will adhere to the majority of the Riverside / Avondale Zoning Overlay requirements. The residential density and intensity of the PUD zoning district is compatible with and will have no undue adverse impact upon the physical and environmental characteristics of the property and the surrounding land.

The total proposed number of multi-family units (260) is 20 units less than the maximum density allowed by the FLUE of the Comprehensive Plan on the property (280 units). The PUD zoning district adopted in 2005 does not conform to the Overlay regulations. Development standards for this site in 2005 were limited and minimal as the Zoning Overlay standards were not adopted until 2008.

The entire site is located within the Commercial Character Area of the Riverside Avondale Zoning Overlay and has been historically developed as a commercial property. Previous uses include a Winn-Dixie shopping center, office and retail space, restaurants and a high-rise apartment building. As early as the 1903's, this site had commercial uses per historical Sanborn Maps and permit records. The property has contained its current a mix of uses since approximately 1987.

The rezoning and subsequent future development will not result in the destruction of natural resources such as wetlands, protected trees or exceptional specimen trees, and should not detract from any contributing structures within the Riverside Avondale historic district, historic landmarks or landmark sites. The PUD provides standards in excess of what is required by the Riverside Avondale Zoning Overlay that aim to maintain a better separation of uses as well as preserve the integrity and character of each of the parcels within the adjacent Historic Residential Character Area. The permitted uses for the proposed PUD are allowed per the conventional RHD and CCG-1 zoning districts. The applicant/developer is requesting the use of the PUD ordinance in order to administer specific performance standards designed to ensure a proper mix of uses, buffering, designs and elevations.

*(7) Usable open spaces plazas, recreation areas.*

Approximately 144,600 square feet of combined active and passive open space is proposed, exceeding the minimum of fifty (50) square feet of active recreation area per unit requirement. These areas will include the waterfront boardwalk (including eighteen (18) boat slips), kayak launch, landscaped courtyards and enclosed recreational facilities. The boardwalk and kayak launch will be open to the public. Sidewalks will be provided along all street frontages. The boardwalk will be installed along Fishweir Creek, up to the southwest boundary of the Commander Parcel and will be accessible to the public via pedestrian walks from Herschel Street and St. Johns Avenue. The kayak launch will be accessible to the public via a pedestrian walk from

St. Johns Avenue. The boat slips shall be limited to twelve (12) private boat slips and six (6) public boat slips.

*(8) Impact on wetlands*

While the site plan does not reflect any impact on wetlands, any development impacting wetlands will require permits pursuant to local, state and federal permitting requirements.

*(9) Listed species regulations*

No wildlife survey was required as the project is less than the 50-acre threshold.

*(10) Off-street parking including loading and unloading areas.*

The PUD shall include a mix of on-site surface parking and on-site garage parking. Loading spaces shall be located between Building 300 and the adjacent existing single family houses as depicted on the site plan and may be used to facilitate deliveries, trash pick-ups or moving. A single-level parking garage shall be located on the "Village Parcel" adjacent to St. Johns Avenue, and separated from the street's edge with a minimum depth of thirty (30) feet of landscaped open space. The façade of the Village Parcel Garage shall be constructed such that it is compatible with the residential buildings on the property. Any louvered vents in the façade of the Village Parcel Garage shall be obscured by iron grates or similar treatment, or designed to match the pattern of the residential buildings on the property.

A four-level Parking Garage shall be located on the Commander Parcel and separated from the Southern boundary of the single-family residential properties adjacent to the Commander Parcel as shown on Exhibit L (the "Commander Parcel Garage"). The façade of the Commander Parcel Garage shall be fully encapsulated on that façade and constructed with louvered vents to localize light and soften sound. The Commander Parcel Garage shall be limited to forty-six (46) feet in height, not including architectural features. Any entrance to the Commander Parcel Garage shall not be located facing the Southern boundary of the adjacent residential properties. The applicant is proposing a minimum of 1.65 spaces per residential unit and 3 spaces per each 1,000 square feet of commercial use, with a minimum of 460 parking spaces provided.

Per Section 656.604 of the Zoning Code, the parking for multiple-family dwellings is one and one-half spaces for an efficiency, studio or one bedroom dwelling not exceeding 500 square feet, one and three-quarters spaces for one bedroom dwelling containing 500 square feet or more, two spaces for two bedroom dwellings and an additional one-quarter space for each bedroom in excess of two, plus one space for owner or operator and one space for each two employees. In determining the number of bedrooms, rooms depicted as dens, studios and similarly depicted areas shall be construed to be an additional bedroom for the purposes of determining the number of off-street parking spaces required.

Restaurant uses require one space for each four seats in public rooms plus one space for each two employees.

Per Section 656.399.22 (2)(e) of the Zoning Code for the Commercial Character Area of the Riverside Avondale Zoning Overlay, the minimum required number of parking spaces for general commercial, retail sales and service, and multi-family uses shall be 50 percent of the required number of spaces pursuant to Section 656.604 and Section 656.604(e)(3) for any type of office use, provided there are no additional parking credits applied under Section 656.607(d) of the Zoning Code. However contiguous on-street parking may be provided consistent with Section 656.399.23(2)(b)(i)—(iv) and Table 4.

If built per Part 6 of the Zoning Code, the development would require at least 500 parking spaces for the residential component, plus additional parking spaces for the commercial uses. The Overlay allows for a 50% reduction in the required parking in Commercial Character Areas; however, this reduction is predicated at least in part on the presence of contiguous on-street parking. There are no on-street parking spaces contiguous to the subject property or nearby overflow lots available, so the Planning and Development Department recommends that the standard Zoning Code requirements in Part 6 apply. A lack of sidewalks in the neighboring residential areas is also problematic for any non-residential parking demand.

Approval of the PUD shall be conditioned that the site shall comply with parking requirements found in Part 6 of the Zoning Code, as it establishes the minimum necessary to accommodate the parking demand given the proposed number of units and amount of commercial/retail space. Staff is also conditioning that the service and loading and unloading areas shall be limited to the hours of 7 a.m. to 9 p.m.

*(11) Sidewalks, trails, and bikeways*

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan. All new and existing sidewalks shall be at least five (5) feet wide and constructed of pavers per 656.399.29(3) of the Zoning Code along all street frontages. The developer is seeking approval from the FDOT to reduce the northbound St Johns Avenue travel lane to eleven (11) feet in order to slow traffic and create a more pedestrian friendly streetscape by installing a green right-of-way with a curb in between the sidewalk and the street along all street frontages. Pedestrian connections shall be established from the right-of-way to buildings according to section 656.399.30. Additionally, a public boardwalk shall be constructed along Fishweir Creek at a minimum width of eight (8) feet. Public access shall be provided to and from the public boardwalk from Herschel Street and from St. Johns Avenue.

***Pursuant to 656.399.13, the following additional criteria shall be considered by the Planning and Development Department, the Local Planning Agency, and the City Council when evaluating any land use or zoning application within the Riverside/Avondale Zoning Overlay District:***

*(a) Whether the proposed rezoning is consistent with the Riverside/Avondale Zoning Overlay District and the historic district regulations;*

The proposed rezoning, as conditioned, is consistent with the intent of the Overlay. The parcels are located within the Commercial Character Area of the Overlay, and have contained a mix of uses since approximately 1987.

The rezoning and subsequent future development will not result in the destruction of natural resources such as wetlands, protected trees or exceptional specimen trees, and will not have a negative effect on any contributing structures within the Riverside Avondale historic district.

*(b) Whether the rezoning will negatively affect or alter the character of the character area or corridor;*

The proposed rezoning, as conditioned, maintains the separation of uses and essential historic character of the Commercial Character Area. The PUD proposes larger buffers along the property boundaries, as well as between uses than the Overlay requires.

As depicted on the site plan and attached landscape plan “Exhibit L”, a combination of a seven to eight (7-8) foot high visual barrier not less than ninety-five percent (95%) opaque and average thirty (30) feet wide landscaped area, to include canopy trees, understory trees and shrubs, shall be installed along the common boundary with the adjacent DuPont Circle residences to form a sound and visual screen buffer from the residences. Street trees shall be provided along the street frontage in accordance with section 656.399.32 (b) and such trees shall be canopy trees and reach a minimum of 40’ at mature height in order to provide shade for pedestrians.

The single-level parking garage located adjacent to St. Johns Avenue (the “Village Parcel Garage”) shall be separated from the edge of pavement by a minimum depth of thirty (30) feet of landscaped open space, and the front façade of the parking garage will be designed to be compatible with adjacent contributing structures and the residential buildings on the property. Any louvered vents in the façade of the Village Parcel Garage shall be obscured by iron grates or similar treatment designed to match the pattern of the residential buildings. A four-level parking garage is integrated into the building on the Commander Parcel and separated from the residential properties adjacent to the Commander Parcel per the attached Exhibit L (the “Commander Parcel Garage”). The façade of the Commander Parcel Garage shall be fully encapsulated and constructed with louvered vents to localize light and soften sound.

Per the Written Description, any changes to the site plan or PUD would require further review under the minor modification or rezoning process. The developer shall notify Riverside Avondale Preservation by certified mail prior to seeking a Minor Modification to the approved PUD. Upon filing for a modification or rezoning, the applicant shall notify both Riverside Avondale Preservation and the respective district City Councilmember via certified mail with a copy of the application and all related plans. Approval of this rezoning, as conditioned, will not alter the essential character of the area or the corridor itself. The applicant/developer is requesting the use of the PUD ordinance to administer specific performance standards designed to ensure a proper mix of uses, buffers, designs and elevations.

*(c) Whether the rezoning and subsequent future development would result in the destruction of natural resources such as wetlands, protected trees or exceptional specimen trees;*

The site plan does not reflect any natural resources, protected trees, or exceptional specimen trees being impacted by this project.

*(d) Whether the rezoning would have a negative effect on any contributing structures within the Riverside Avondale historic district, historic landmark or landmark site.*

The proposed rezoning, as conditioned, will not have a negative effect on any contributing structure located within the Overlay or historic district boundaries as evidenced throughout the report. The conditions of approval will minimize effects of the development of this site on existing contributing structures in the area.

### **SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on October 25, 2013 the required Notice of Public Hearing signs were posted.

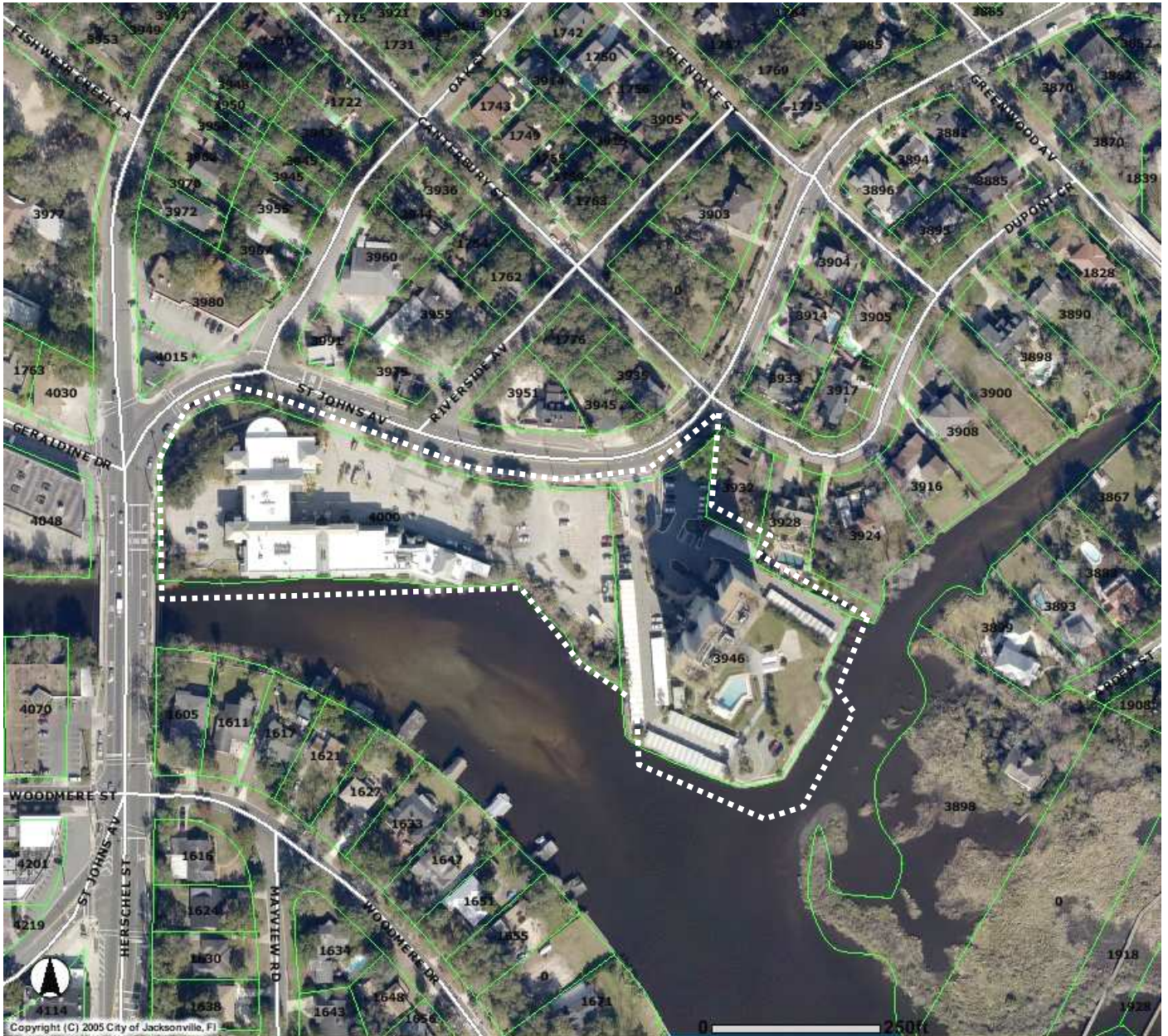


### **RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2013-0342 be **APPROVED** subject to the following conditions:

1. **The subject property is legally described in the original legal description dated March 21, 2013.**
2. **The subject property shall be developed in accordance with the revised written description dated October 17, 2013.**
3. **The subject property shall be developed in accordance with the site plan dated October 4, 2013.**
4. **The subject property shall be developed in accordance with the Development Services Division Memorandum dated October 17, 2013 or as otherwise approved by the Planning and Development Department.**
5. **Outside sales and service shall be restricted to the private property, and shall not be located on the City right of way or sidewalk. Any addition of an outside sales and service area to the property shall be required to meet Part 4.**

6. **The applicant shall relocate Driveway #2 westward to more closely align with the driveway to the Ale Pie House on the opposite side of St. Johns Avenue and extend the existing westbound center turn lane eastward past Driveway #2. This improvement must be coordinated with the Planning and Development Department and the Florida Department of Transportation.**
7. **Parking for all uses on the subject property shall be provided on-site and meet the Part 6 requirements. Parking reductions available through the Riverside Avondale Zoning Overlay shall not apply.**
8. **Limitations on permitted uses shall be subject to part V(c) of the written description.**
9. **No signage shall be “back-lit”. Signage shall be externally illuminated or reverse channel illumination is permitted.**
10. **The development shall be limited to two (2) externally illuminated double-sided monument signs not to exceed thirty-two (32) square feet in area and five (5) feet in height each. Two (2) wall signs shall be permitted per building, not to exceed 32 square feet per sign.**
11. **Directional signs shall be limited to four (4) square feet and four (4) feet in height.**
12. **Temporary signage shall be limited to twenty-four (24) square feet.**
13. **All waste and pet pick-up receptacles are not required to utilize screening pursuant to the requirements of Section 656.399.29.**
14. **All lighting on the structure and in the parking lot shall be pedestrian oriented and shall be self-contained as to have no glare or light pollution impacting residential uses consistent with the Overlay, 656.399.34(8).**
15. **Prior to commencement of any construction activities for the proposed development, the developer shall deposit \$800,000 in an interest bearing account identified by the City to be used for the costs associated with dredging Fishweir Creek. The detailed terms of this condition shall be set forth in a separate agreement with the City, which shall include terms regarding draw requests and refund of any excess funds.**
16. **The proposed boat slips shall be developed in accordance with the Manatee Protection Plan.**



**Aerial view of the subject site facing north**





**The subject site ahead on the left facing south along St. Johns Avenue**



**The subject site facing south from St. Johns Avenue**



**The subject site facing southwest from St. Johns Avenue**



**The subject site facing south from St. Johns Avenue**



**The subject site facing southwest from St. Johns Avenue**



**The subject site facing southwest from St. Johns Avenue**



**The subject site facing east along Fishweir Creek**



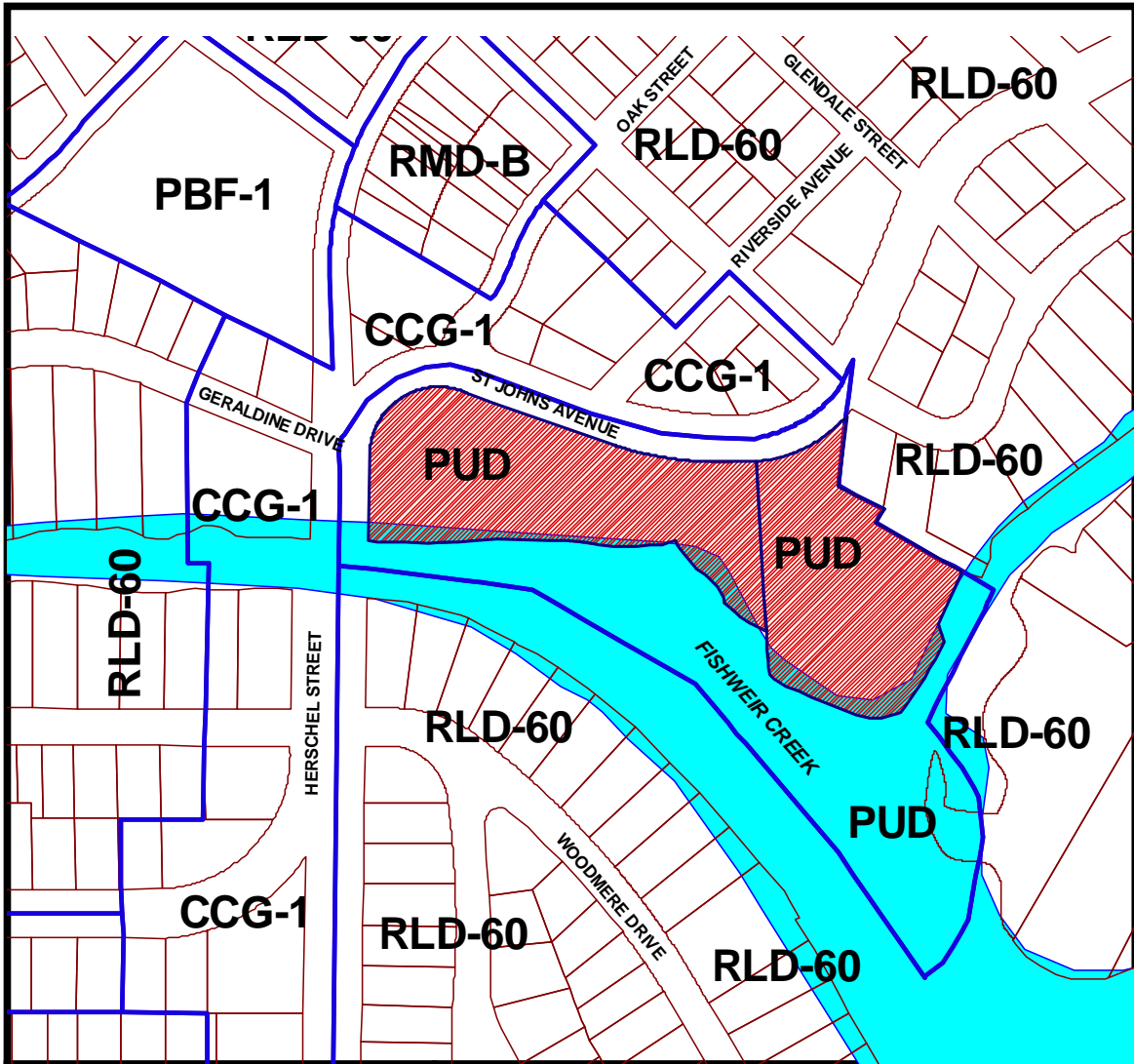
**The subject site facing northeast from St. Johns Avenue**

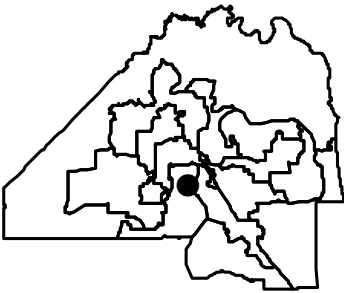
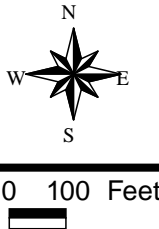


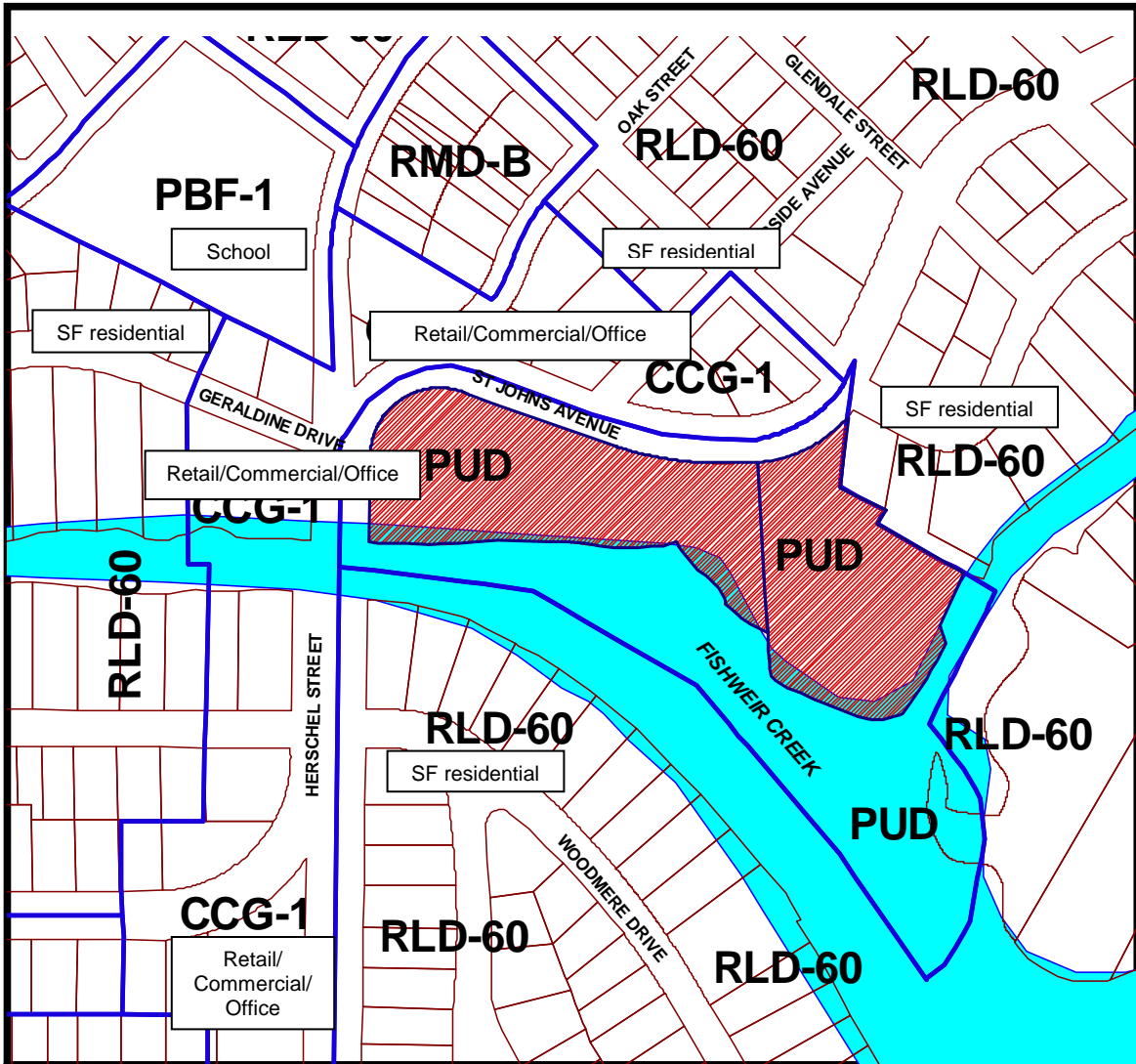
**The existing area of the site between the Commander Apts. and the single-family residences to the northeast on DuPont Cir.; facing northwest towards St. Johns Avenue**



**Facing southeast down the adjacent residential street to the northeast, DuPont Circle, from St. Johns Avenue**



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>		 <p>COUNCIL DISTRICT: <b>14</b></p> <p>ORDINANCE -2013-0342</p> <p>FILE COPY</p>
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REQUEST SOUGHT:		
FROM: PUD		
TO: PUD		COUNCIL DISTRICT: <b>14</b>
ORDINANCE -2013-0342		FILE COPY



October 17, 2013

**MEMORANDUM**

TO: Andy Hetzel  
Planning and Development Department

FROM: Lisa King  
Traffic Technician Senior

Subject: **St Johns Village PUD  
R-2013-342**

Upon review of the referenced application, and based on the information provided to date, the Development Services Division has the following comments:

1. St Johns Avenue & this section of Herschel Street are FDOT maintained roadways. Number, location & design of accesses require FDOT permit approval. FDOT will also address any required off-site improvements.
2. Sidewalks adjacent to parking are required to be a minimum of 6' in width.
3. All maneuvering for loading/unloading shall be located on site.
4. Signs, fence, walls and landscaping shall be located so that horizontal line of sight is maintained at driveways and intersections. Use FDOT Design Standards Index 546.

**Please understand that this does not constitute approval of the design elements.** Approval of the design elements (driveway location, dimensions, roadway geometry, traffic circulation, etc.) shall be facilitated through the 10-set and 10-set review process. If you have any questions regarding the comment outlined above, please call me directly at 255-8586.





## Florida Department of Transportation

2198 Edison Avenue  
Jacksonville, FL 32204

RICK SCOTT  
GOVERNOR

ANANTH PRASAD, P.E.  
SECRETARY

October 30, 2013

Andy Hetzel, Senior Planner  
Planning & Development Department  
Ed Ball Building  
214 N. Hogan Street, Suite 300  
Jacksonville, Florida 32202

### RE: St. Johns Village PUD

Dear Mr. Hetzel:

The Florida Department of Transportation has reviewed the St. Johns Village RePUD for impacts to the state facilities and we offer the following recommendations and comments for your consideration in reviewing this submittal package:

**Project Description:** The applicant for the St. Johns Village RePUD is proposing to rezone approximately 5.97 acres from Planned Unit Development (PUD) to PUD to allow 260 residential units and 10,000 square feet of commercial uses. Currently the site consists of 90 high rise apartments and 43,000 square feet of commercial space which will be demolished and redeveloped.

**Location:** The subject property is located on the southeast quadrant of St. Johns Avenue and Herschel Street. The current and proposed access is to St. Johns Avenue.

**Estimated Trips:** By using the ITE Trip Generation 9<sup>th</sup> Edition, the FDOT estimates the following trips:

- The FDOT estimated the trips for the **existing development** by using the High-Rise Apartment (ITE Code 222), and Shopping Center (ITE Code 820) Land Uses. An 8% internal capture rate was subtracted from the existing daily and PM Peak Hour Trips. A 6% internal capture was subtracted from the existing AM Peak Hour Trips. An average pass-by of 34% was subtracted from the existing commercial trips. The existing development is estimated to generate **2,799 daily trips with 56 AM and 251 PM Peak Hour Trips.**
- The FDOT estimated the trips for the **proposed development** by using the Apartment (ITE code 220) and Shopping Center Land Uses. A 10% internal capture was subtracted from the proposed daily and PM Peak Hour Trips. No internal capture was subtracted from the proposed AM Peak Hour. An average pass-by of 34% was subtracted from the proposed commercial trips. The proposed development is estimated to generate **2,451 daily trips with 138 AM and 224 PM Peak Hour Trips.**

**LOS & Impacts:** Following a preliminary review of this submittal, the trips associated with this development will impact SR-211/St. Johns Avenue and SR-211/Herschel Street. The City of Jacksonville Road Link Status Report (Dated February 5, 2013), which includes the reserved trips, shows the following capacity:

- SR-211/St. Johns Avenue, from Geraldine Avenue to Edgewood Avenue South, with an adopted LOS standard of “E” (This is the adjacent segment which has a daily capacity of 16,500 daily trips), is currently operating at LOS “D” (The year 2011 count was 9,400 daily trips. There are 7,100 daily trips available with 56.97% capacity used).
- SR-211/Herschel Street, from San Juan Avenue to Geraldine Avenue, with an adopted LOS standard of “E” (This segment which has a daily capacity of 16,200 daily trips), is currently operating at LOS “D” (The year 2011 count was 11,500 daily trips. There are 4,700 daily trips available with 70.99% capacity used).

**Access:** The PUD Development Criteria Part F. for access states the final location of access points is subject to the review and approval of the City’s Traffic Engineer. Please note, SR-211/St. Johns Avenue is a state road and access requires approval from the FDOT Area Permit Engineer.

The PUD Written Description indicates two (2) driveway/access connections on St. Johns Avenue. There are currently three (3) driveway/access connections on St. Johns Avenue serving existing uses. For any construction within state right of way, the FDOT Growth Management Staff recommends the applicant coordinate and submits a permit application to FDOT’s Permit Engineers for review and approval. For permit inquiries, please contact the Department’s Permit Engineer, Jeff Scott, by calling (904)360-5205 or e-mail: [Jeffrey.Scott@dot.state.fl.us](mailto:Jeffrey.Scott@dot.state.fl.us)

**Additional FDOT Comments:** The companion traffic study provides an analysis of the driveways and intersections during the PM Peak Hour only. Please note, the type of trips proposed for this property have been revised from more commercial trips to more residential trips. This change creates different trip distribution patterns and more trips during the AM Peak Hour. As such, the FDOT recommends the driveways and intersections are also analyzed during the AM Peak Hour.

Also within the traffic study, the applicant subtracts 74.74 % pass-by from the proposed development’s Shopping Center trips by using the Fitted Curve Equation for Shopping Center Pass-by. This equation is found within Figure 5.5 of the Trip Generation Handbook (March 2001). The applicant’s pass-by percentage is unreasonable for the uses described in the PUD Written Description which permits up to 10,000 square feet of retail and service establishments structurally integrated with a multiple-family dwelling. The applicant’s pass-by percentage is more reasonable for Shopping Centers with peripheral buildings having uses such as fast food restaurants with drive-thru windows or gas stations. Also, the traffic volumes on St. Johns Avenue do not support 74.74% of the Shopping Center trips as pass-by trips. Further, the Shopping Center Pass-by Figure 5.5 provides a coefficient of determination ( $R^2$ ) of 0.37. ITE recommends the Fitted Curve Equation not be used when  $R^2 < 0.75$ . Table 5.4 of the Trip Generation Handbook provides a 34% average pass-by trip percentage for ITE Code 820 (Shopping Center) and is more reasonable as pass-by percentage estimation for the uses proposed. The FDOT recommends the applicant uses a 34% pass-by percentage for the proposed Shopping Center uses. Please adjust all numbers in the traffic study to reflect recommended changes.

Thank you for coordinating the review of this PUD application with FDOT. If you have any questions, please do not hesitate to contact me.

Sincerely,

Richard Prindiville, Traffic Analyst  
Jacksonville Urban Office  
2198 Edison Avenue, MS 2812  
Jacksonville, FL 32204-2730  
Phone: (904)360-5664  
Email: [richard.prindiville@dot.state.fl.us](mailto:richard.prindiville@dot.state.fl.us)

Cc: Jeff Scott, FDOT Permits  
David Lynch, FDOT Traffic Operations