

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2016-0330 TO
PLANNED UNIT DEVELOPMENT

JUNE 9, 2016

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 **2016-0330** to Planned Unit Development.

Location: 601 and 633 Myrtle Avenue; at the southeast quadrant of Myrtle Avenue and Beaver Street

Real Estate Number(s): 076596-0000, 076628 0000

Current Zoning District: Industrial Light (IL)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Light Industrial (LI)

Planning District: District 1, Urban Core

Planning Commissioner: Abel Harding

City Council District: The Honorable Garrett Dennis, District 9

Applicant/Agent: Eric Almond, P.E.
Almond Engineering, P.A.
6277 DuPont Station Court E., Suite 1
Jacksonville, Florida 32217

Owner: Parkside Brewery, LLC
Engine 15 Brewing Co., LLC
1007 Seabreeze Avenue
Jacksonville Beach, Florida 32250

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2016-0330** seeks to rezone approximately 1.44 acres of land at the southeast quadrant of Beaver Street and Myrtle Avenue, 633 & 601 Myrtle Avenue North, from Industrial Light (IL) to Planned Unit Development (PUD). The property is developed with 2 free standing warehouses that were built in 1919. Since then, this facility has

been in some state of operation in the warehouse/manufacturing/distribution capacity. Currently, the Engine 15 brewery utilizes the northern building (633 Myrtle) for the brewing, bottling, production and distribution of their local craft beer for their own gastropub located in Jacksonville Beach as well as for wholesale to alcoholic beverage distributors statewide. The applicant proposes to rezone both parcels from IL to Planned Unit Development (PUD) to allow for the onsite sales and consumption of beer produced by their existing brewery and cider production facilities.

The properties described within this application have 2 separate and distinct building functions. Building A contains the primary brewing / manufacturing / packaging and distribution for the Engine 15 Brewery. A small tap room with indoor and outdoor seating is proposed to serve seasonal clientele wishing to sample Engine 15's craft beers and take tours of the brewery. An outdoor recreational space is also proposed to serve the people visiting the brewery. Building B is a vacant warehouse that will hold several events a year; the building will only be utilized in this capacity several times a year. Additionally, the cider production will remain in this building.

This rezoning request is also seeking relief from the minimum distance requirements for the sale and consumption of beer/liquor in relation to churches within 1,500 feet of the subject property. A zoning waiver is normally required when seeking relief from the 1,500 foot distance requirement, however pursuant to this PUD rezoning request the minimum distance waiver is included within the legislative processes surrounding the PUD rezoning and therefore a separate waiver is not needed. This request includes a reduction in the required minimum distance between the proposed use and the Union AME Church from 1,500 feet to 693+/- feet and a reduction in the required minimum distance between the proposed use and the Shiloh Baptist Church of Jacksonville from 1,500 feet to 559+/- feet for the purpose of the sale of beer and wine for on premise consumption (2COP) in conjunction with a brewery. The proposed location is not visible to either the Shiloh Baptist Church and the Union AME Church, as the site of the church is behind the rear line of the structure that will house the proposed use. The church structure itself is located approximately 975 feet away along Beaver Street to the southeast of the subject site behind some undeveloped land and parking lots. There is no way to see the front of the structure from the church.

In conformity with state licensing requirements, the waiver hereby granted shall be personal to the license applicant/holder (Engine 15 Brewing Company, LLC), non-transferable, and shall not run with the land as provided by Section 656.136(c) of the Zoning Code. Any expansion of the use would require a new Waiver of Minimum Liquor Distance Requirements and a change in the state license applicant/holder may only be sought through a new zoning exception process pursuant to Section 656.133, Ordinance Code.

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 in the Light Industrial (LI) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The PUD proposes warehousing and light manufacturing as allowable uses, and the proposed PUD is an existing light industrial facility operating as a commercial brewery which manufactures and distributes their own brewery products throughout the local community. This PUD simply requests to add the ability for the sale and consumption of alcohol either onsite or off site which is allowed in the LI land use category. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code. A description of the category is noted below.

LI - GENERAL USES

Principal Uses: Light assembly and manufacturing; Packaging; Processing; Manufacturing of paints, enamels and allied products; Concrete batching plants; Storage/warehousing; Research and development activities; Transportation terminals; Radio/T.V. studios; Transmission and relay towers; Yard waste composting; Recycling facilities; Business/professional offices; Medical clinics; Veterinary offices; and Vocational/trade schools and building trade contractors.

Secondary Uses: Secondary uses shall be permitted pursuant to the Industrial land use introduction. In addition, the following secondary uses may also be permitted: Railroad yards; Truck terminals; Bus and rail stations; Solid waste management facilities including composting and recycling operations; Institutional uses and public facilities; Utility plants and facilities; Broadcasting studios including transmitters; and Telephone and cellular phone towers.

(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 of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

Pursuant to the provisions of Section 656.341(d) 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

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Light Industrial (LI). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

FLUE Policy 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

FLUE 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.

FLUE Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

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

The proposed PUD is an existing light industrial facility operating as a commercial brewery which manufactures and distributes their own brewery products throughout the local community. This PUD simply requests to add the ability for the sale and consumption of alcohol either onsite or off site. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein.

(2) Consistency with the Concurrency Mobility and 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 and Mobility Management System (CMMSO) prior to development approvals.

(3) Allocation of residential land use

This proposed Planned Unit Development does not intend to utilize lands for residential development.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors with specific reference to the following:

Traffic and pedestrian circulation patterns: The proposed PUD does not change the vehicular or pedestrian circulation patterns of the existing development. Proposed vehicular access will be via the existing driveway on Myrtle Avenue, and internal vehicular circulation and parking space layout shall be limited to the existing parking area/truck court. Areas accessed by the public in conjunction with the use of Building A and Building B shall be ADA compliant.

The use and variety of building setback lines, separations, and buffering: The proposed PUD does not change the setbacks, separations or buffers of the existing development.

The separation and buffering of vehicular use areas and sections of vehicular use areas: The proposed PUD maintains the separation and buffering requirements for vehicular areas of the existing warehouse development.

The particular land uses proposed and the conditions and limitations thereon: The written description allows only the existing historic uses for the IL Zoning District. This PUD simply requests to add the ability for the sale and consumption of alcohol either onsite or off site. Building A contains the primary brewing / manufacturing / packaging and distribution for the Engine 15 Brewery. A small tap room with indoor and outdoor seating is proposed to serve seasonal clientele wishing to sample Engine 15's craft beers and take tours of the brewery. An outdoor recreational space is also proposed to serve the people visiting the brewery. Building B is a vacant warehouse that will hold several events a year; the building will only be utilized in this capacity several times a year. Additionally, the cider production will remain in this building.

(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 industrial development is encouraged and preserved by the Industrial Situational Compatibility overlay. The zoning of all surrounding property is Light Industrial (warehousing and distribution) to the south and to the east. The property across Myrtle Avenue is also light industrial (warehousing and distribution). Currently there are no incompatible uses adjoining the property requiring buffers. The proposed PUD is appropriate at this location as it complements the existing industrial, office and commercial uses in the immediate area.

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

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LI	IL	Warehouse/storage/manufacturing
East	LI	IL	Warehouse/storage/manufacturing
South	LI	IL	Warehouse/storage/manufacturing
West	HI	IH	Warehouse/storage/manufacturing

Development in the immediate area contains industrial warehouse and distribution uses. The proposed PUD is appropriate at this location as it complements the existing industrial, office and commercial uses in the area.

(6) Intensity of Development

The proposed development is consistent with the HI functional land use category and is a single-use industrial development. The auto salvage yard will support the automotive and industrial needs of the community.

(7) Usable open spaces plazas, recreation areas.

Due to the industrial nature of the use, open space is not required, but an outside seating area with a small outdoor recreation component (i.e. bocce ball court, large chess court, horse shoe court, etc.) will be provided for the enjoyment of the customers.

(8) Impact on wetlands

A review of 2004 Florida Land Use and Cover Classification System maps provided by the St. Johns River Water Management District did not identify wetlands on-site. Any development impacting wetlands will be required to comply with state and local 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 proposed PUD seeks to establish 2 separate yet similar criteria for parking; Parking Criteria for Building A (Engine 15 Brewery, Tap Room & Beer Garden) and Parking Criteria for Building B (Vacant warehouse that will be used occasionally to host charitable functions). The areas that are proposed for parking need to remain functional and operational for large truck deliveries during the day; this area would not be able to be used for tap room parking until the distribution operations of the existing facility are complete.

Similarly to the current required number of Off Street Parking Requirements for restaurants (per 656.604) this PUD seeks to allow a maximum of 1 parking space per 4 seats located within the taproom and outside seating area (for Building A). Per the PUD site plan, the current asphalt truck court area is actively used for large deliveries (between Building A and Building B) and would be utilized for the parking surface later in the day when delivery operations are complete. Parking spaces would be code compliant and delineated painted asphalt. As proposed the asphalt truck court would be able to accommodate 17 vehicles which would equate to a maximum occupancy (maximum customer seating) of 68 seats.

Since this parking surface is also used for daytime heavy truck deliveries, these proposed parking spaces would be exempt from the City of Jacksonville Landscape code requiring terminal landscape islands and required internal green space and landscaping for public vehicular use.

Similarly to the current required number of Off Street Parking Requirements for restaurants (per 656.604) this PUD seeks to allow a maximum 4 seats (occupants for Building B) for every 1 parking space provided offsite. Offsite parking agreements for 114 spaces have been made with adjacent property owners for the occasional use of their land for parking associated with functions held within Building B. Attached with this application are copies of the parking agreements and a map showing the offsite parking locations (parcels) as well as a proposed parking plan showing the anticipated allowable parking on each parcel. Engine 15 would be required to keep these agreements in place and provide verification to City Staff should the need to verify available parking arise. At any time during the normal course of business parking agreements can be terminated and renegotiated with new parties. The maximum allowable attendance for functions within Building B shall always be capped at the total number of offsite parking spaces provided on offsite parcels.

Given the historical viability of the area, the ability to provide roughly 17 parking spaces and the presence of off-site parking agreements, approval of this request would have a positive cumulative effect on the neighborhood as it would promote a commercial infill use in keeping with the character of the neighborhood.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on September 29, 2015 the required Notice of Public Hearing sign **was** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2016-0330** be **APPROVED with the following exhibits:**

1. The original legal description dated January 8, 2016.
2. The original written description dated January 5, 2016.
3. The original site plan dated January 8, 2016.
4. The development shall proceed in accordance with the Development Services Division memorandum dated May 19, 2016 or as otherwise approved by the Planning and Development Department.



Aerial view of the subject site facing north



The subject site on the right facing north along Myrtle Ave.



Facing east into the subject site from Myrtle Ave.



The subject site on the right facing north along Myrtle Ave.



The subject site on the right facing north along Myrtle Ave.



Facing east into the subject site from Myrtle Ave.



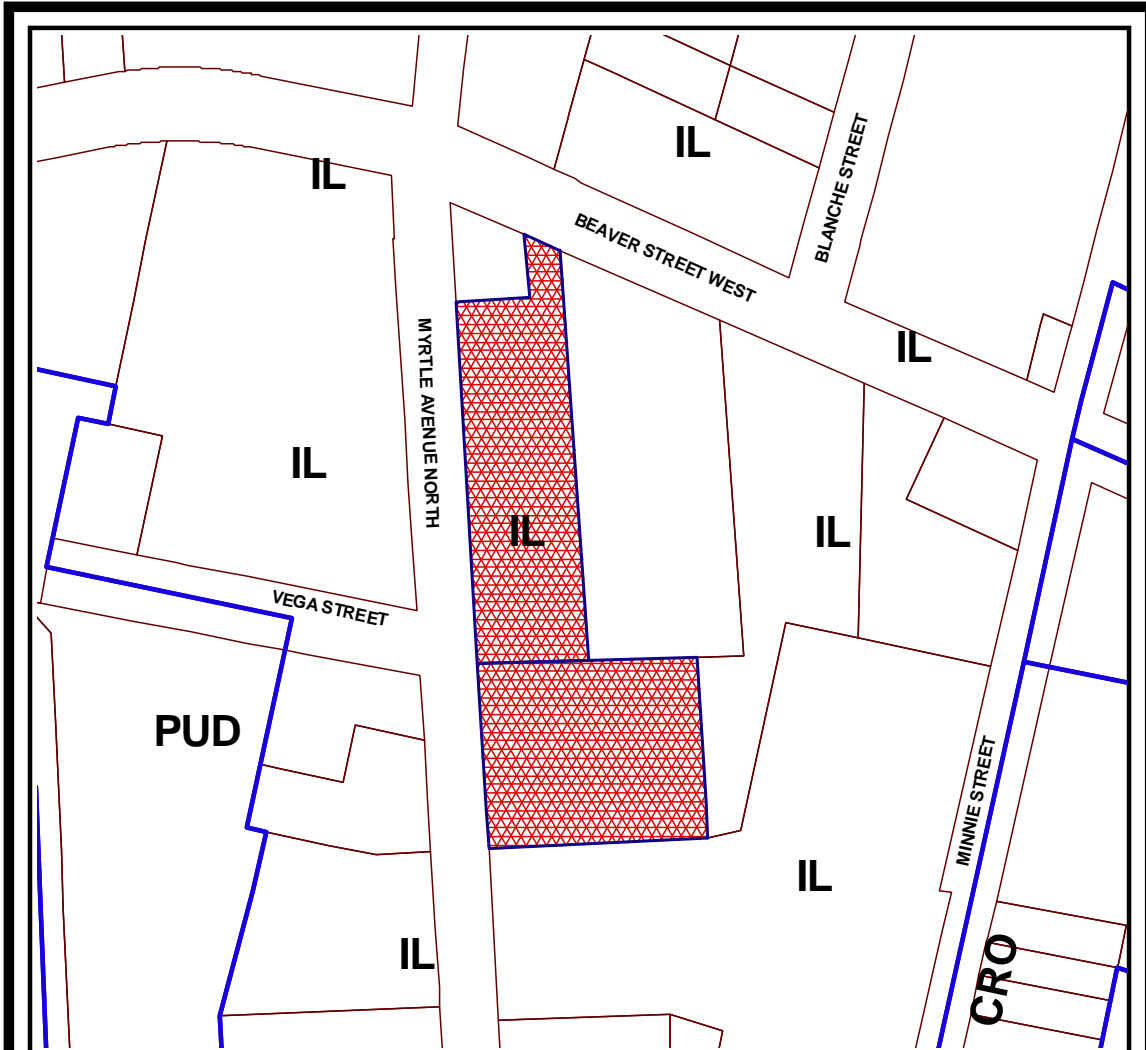
The subject site on the right facing north along Myrtle Ave. towards Beaver St.



The subject site on the right facing east along Beaver St.



The subject site facing south from Beaver St.



REQUEST:		
FROM:	IL	
TO:	PUD	Page 1 of 1
ORDINANCE NUMBER: ORD-2016-0330	TRACKING NUMBER: T-2016-1032	

DEVELOPMENT SERVICES



May 19, 2016

MEMORANDUM

TO: Andy Hetzel, City Planner II
Planning and Development Department

FROM: Lisa King
Traffic Technician Senior

Subject: **Engine 15 PUD - Myrtle & Beaver
R-2016-330**

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

1. Parking design shall comply with Section 656.607 of the current Zoning Code for space dimensions, backup/drive aisle & sidewalk widths.
2. Building A & B abut right-of-way/sidewalk and may create sight line obstruction for vehicles exiting parking areas & pedestrians on sidewalk. Developer and their engineer are responsible for providing a remedy (ex. visual & audio detection, mirrors, etc.).
3. Provide ADA detectable warning where sidewalk connects to driveways.

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.