

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**APPLICATION FOR REZONING ORDINANCE 2016-0682 TO****PLANNED UNIT DEVELOPMENT****NOVEMBER 3, 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 **2016-0682** to Planned Unit Development.

Location: 1740 Main Street North (US 17), on the west side of Main Street between 7th Street and 8th Street

Real Estate Number(s): 071636-0000

Current Zoning District: Commercial Community General-Springfield (CCG-S)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: District 1, Urban Core

Planning Commissioner: Abel Harding

City Council District: The Honorable Reggie Gaffney, District 7

Applicant/Agent: Alexandra McKeown
1301 Riverplace Boulevard, Suite 800
Jacksonville, Florida 32207

Owner: Shoppes of Lakeside, Inc.
PO Box 330108
Jacksonville, Florida 32233

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development **2016-0682** seeks to rezone approximately 0.20 acres of land on the west side of Main Street between 7th Street and 8th Street from Commercial Community General-Springfield (CCG-S) to Planned Unit Development (PUD). The property is developed with a 5,744 square foot building built in 1929. The property is part of the Main Street commercial corridor. The proposed PUD seeks to permit the development of a brewery which includes the sale and service of beer, wine, cider and mead for on-site

consumption within the building, as well as, the sale and service of beer, wine, cider and mead for off-site consumption and distribution. A small tap room with indoor seating is proposed to serve clientele wishing to sample the craft beers and take tours of the brewery.

This rezoning request is also seeking relief from the minimum distance requirements of Section 656.805 of the Zoning Code 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 PUD rezoning and therefore a separate waiver is not needed. The proposed location is not visible to any of these schools or churches, as they are behind the rear line of the structure that will house the proposed use or blocked by other development. Numerous buildings and streets block the view of the building from the churches and schools in the area.

In conformity with state licensing requirements, the waiver hereby granted shall be personal to the license applicant/holder (Hyperion Brewing Company), 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 Community general Commercial (CGC) 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 the development of a brewery which includes the sale and service of beer, wine, cider and mead for on-site consumption within the building, as well as, the sale and service of beer, wine, cider and mead for off-site consumption and distribution. 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 CGC 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.

The Community General Commercial (CGC) functional land use category is intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor

development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled.

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. When developing mixed uses, residential uses shall be arranged on the site to provide a use transition between new non-residential uses and the protected abutting residential land uses to the greatest extent feasible. 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.

The uses provided herein shall be applicable to all CGC sites:

Principal uses: Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; Offices, Business and Professional Offices including veterinary offices; Financial institutions; Multi-family dwellings; Live/Work Units; Commercial recreational and entertainment facilities; Auto repair and sales, mobile home/motor home rental and sales, boat storage and sales; Off street parking lots and garages; Filling stations; and Uses associated with and developed as an integral component of TOD. Residential uses shall not be the sole use and shall not exceed 80 percent of a development.

(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): Community

General Commercial (CGC). 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 1.1.11 Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.

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.

Historic Preservation Element (HPE)

FLUE Objective 1.4 The City of Jacksonville shall establish and improve property values, and thus the tax base of local landmarks and local historic districts by encouraging property owners to maintain and improve buildings, grounds, streetscape and vistas and encouraging settlement and revitalization of established neighborhoods.

FLUE Policy 1.7.4 The Jacksonville Historic Preservation Commission and the Planning and Development Department shall assist any efforts to identify and evaluate historic buildings, sites and districts for visitor appeal.

1740 North Main Street is a property developed with a 5,744 square foot building built in 1929. This PUD simply requests to add the ability for the sale and consumption of alcohol either onsite or off site. The proposed brewery is locating in the existing building, within an existing commercial corridor, located on a major highway (Main St.) and is an appropriate commercial infill redevelopment and a compatible use considering the character and location of existing land uses. 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.

(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 intends to utilize lands for the development of a brewery which includes the sale and service of beer, wine, cider and mead for on-site consumption within the building, as well as, the sale and service of beer, wine, cider and mead for off-site consumption and distribution, but does allow for multi-family uses by exception. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(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 or surrounding area. Proposed vehicular access will be via the existing roadway and on-street parking on Main Street, and service/delivery access via the alleyway behind the rear of the property. The development is located within the Springfield area along the Main Street commercial corridor where parking is not required.

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 PUD proposes the development of a brewery which includes the sale and service of beer, wine, cider and mead for on-site consumption within the building, as well as, the sale and service of beer, wine, cider and mead for off-site consumption and distribution. No changes to the existing site layout are proposed.

The particular land uses proposed and the conditions and limitations thereon: The written description allows only the existing historic uses for the CCG-S Zoning District. This PUD simply requests to add the ability for the sale and consumption of alcohol either onsite or off site. A small tap room with indoor seating is proposed to serve clientele wishing to sample craft beers and take tours of the brewery.

(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 development is encouraged and preserved by the Springfield overlay. Surrounding uses include CGC/CCG-S to the north (commercial/retail); CGC/CCG-S to the west (office/professional); CGC/CCG-S to the south (commercial/retail); and CGC/PUD to the east (apartments and parking). 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 | CGC | CCG-S | Commercial/retail |
| East | CGC | PUD (1985-1217) | Multi-family and parking lot |
| South | CGC | CCG-S | Commercial/retail |
| West | CGC | CCG-S | Office/professional |

This request encourages development of an underutilized property within the Urban Area of the City that already has the infrastructure, utilities, and public facilities in place to support such development. The PUD provides for a gradual transition of densities and intensities between the types of uses which are unique to the urban design and character of this PUD and vary from the otherwise applicable Zoning Code provisions. The proposed rezoning is compatible with and protects the character of the nearby area and optimizes the combined potentials for economic benefit. The PUD will promote and sustain the viability of an existing and emerging commercial/residential area offering a full range of employment, shopping, living, and leisure opportunities.

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category and is scaled for and complimentary to the pedestrian and surrounding uses. The PUD is appropriate at this location because it will support the existing offices, service establishments and residential dwellings in the area. If the property is redeveloped and the existing building is replaced with a new building, the property shall be developed in accordance with landscaping standards found in the Springfield Zoning Overlay and Historic District.

(7) Usable open spaces plazas, recreation areas.

Due to the commercial nature of the use, open space is not required. The property currently provides at least 10 percent of open, undeveloped space on the site.

(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.

Since the property is located within the Springfield Zoning Overlay and Historic District, no minimum parking is required. At least two (2) parking spaces will be maintained in the rear of the property. Employee and vendor access shall be by way of the platted public alley in the rear of the property. Given the historical viability of the area, 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 August 4, 2016, 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 2016-0682 be **APPROVED with the following exhibits:**

1. The original legal description dated July 29, 2016.
2. The revised written description dated October 27, 2016.

3. The original site plan dated July 16, 2003.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2016-0533** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

1. Prior to requesting a final building inspection or occupying the facility in any manner, the lead horizontal and lead vertical design professionals shall submit to the Planning Department separate certification letters confirming that all horizontal and vertical components of the development have been substantially completed, and all conditions to the development order have been satisfied. This condition shall apply to both phased and non-phased developments.
2. Outside sales and service shall be limited to the front of the establishment. Any outdoor customer area at the rear of the building shall be approved through the Zoning Exception process.



Aerial view of the subject site facing north



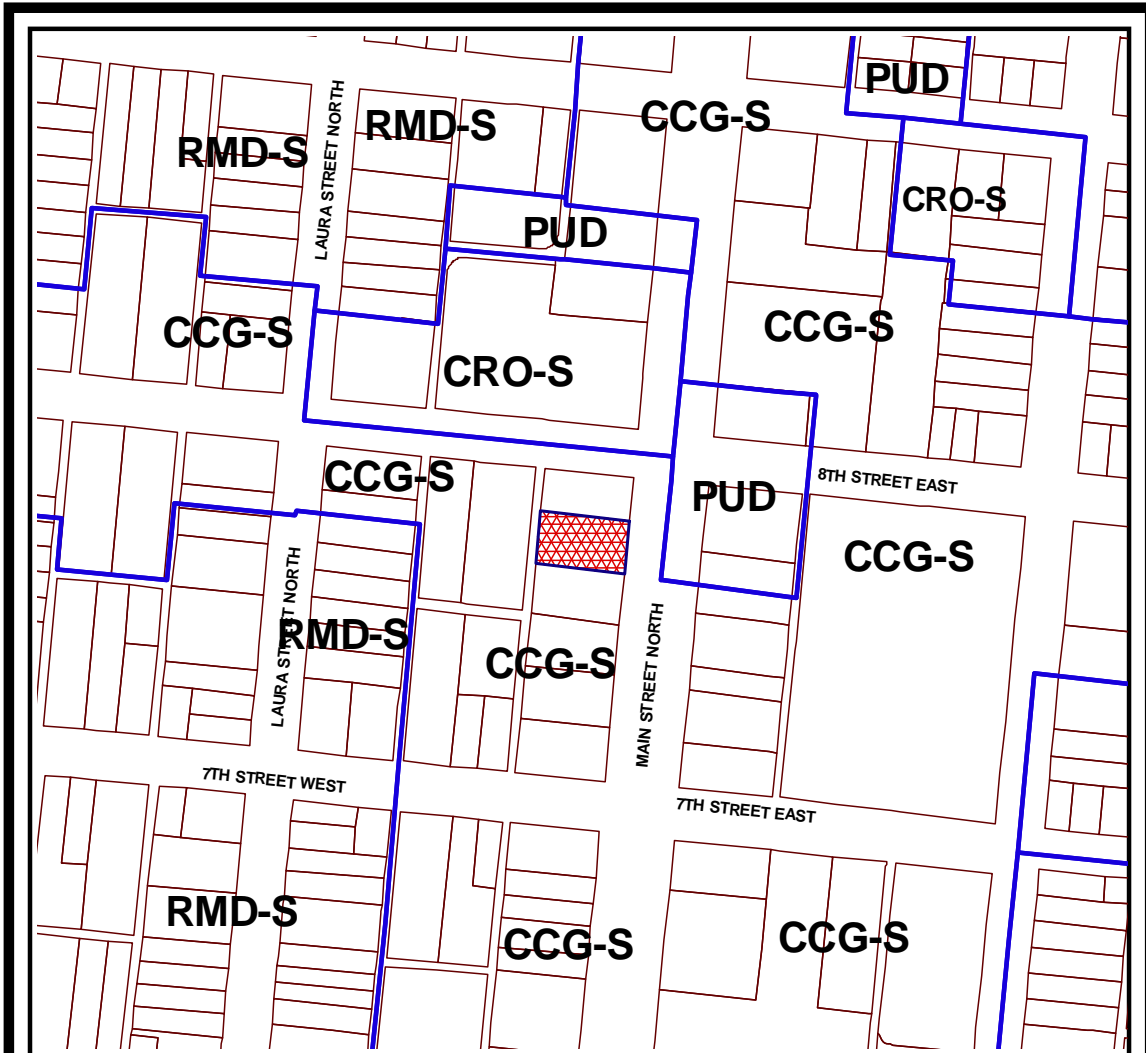
The subject site facing northwest from Main Street



The subject site on the right facing south along Main St.



The subject site on the left facing north along Main Street



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|---|--|--|
| <p>REQUEST:</p> | | |
| <p>FROM: CCG-S</p> <p>TO: PUD</p> | | <p>COUNCIL DISTRICT:</p> <p>07</p> |
| <p>ORDINANCE NUMBER:</p> <p>ORD-2016-0682</p> | <p>TRACKING NUMBER:</p> <p>T-2016-1205</p> | <p>Page 1 of 1</p> |