

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2017-10 TO

PLANNED UNIT DEVELOPMENT

FEBRUARY 9, 2017

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 **2017-10** to Planned Unit Development.

Location: 1000 Riverside Avenue between Lomax Street and Post Street

Real Estate Number(s): 090198-0000

Current Zoning District: Commercial Residential Office (CRO)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Residential Professional Institutional (RPI)

Planning District: Urban Core, District 1

Planning Commissioner: Abel Harding

City Council District: The Honorable Jim Love, District 14

Applicant/Agent: Steve Diebenow, Esq.
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: Padgett Premier Properties, LLC
Nicole Padgett
1000 Riverside Avenue, Suite 601
Jacksonville, Florida 32204

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2017-10** seeks to rezone approximately 1.9 acres of land from CRO to PUD. The rezoning to PUD is being sought so that the property can be

developed with a restaurant with a seating capacity of 435, the sale and service of all alcoholic beverages, the outside sale and service of food and alcohol in conjunction with a restaurant and permitted and permissible uses typically found in the CRO Zoning District. The plans indicate the restaurant will be on the first floor with a roof top deck.

The site is located in the Urban Transition Character Area of the Riverside Avondale Zoning Overlay. However the site is outside of the Riverside Avondale St. Johns Quarter Historic District.

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 Residential Professional Institutional (RPI) 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 Residential Professional Institutional (RPI) is a category primarily intended to accommodate medium to high density residential, professional office, and institutional uses. Limited commercial retail and service establishments which serve a diverse set of neighborhoods may also be a part of mixed use developments. RPI is generally intended to provide transitional uses between commercial and residential uses, although it may also provide a transition between industrial and residential uses when industrial uses pose no health or safety risks to residents. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Transit-Oriented Developments (TOD), as defined in this element, are encouraged when in close proximity to an existing or planned JTA mass transit system station or Rapid Transit System (RTS). Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

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 RPI sites within the Urban Area.

Principal Uses: Multi-family dwellings; Office; Business and Professional Office; Institutional; Large scale institutional uses, which require supporting residential and office components; Commercial retail sales and service establishments limited to 50 percent of the site area; Live/Work Units; Financial institutions; Restaurants (without drive-in or drive-thru facilities); Off street parking lots and garages when combined with another principal use Mixed use developments may not include more than 90 percent of any individual use.

(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): Residential Professional Institutional (RPI). 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 Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

FLUE Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

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 Policy 1.1.13 Ensure that mixed and multi-use projects enhance, rather than detract from, the character of established developed areas by requiring site plan controlled zoning such as Planned Unit Developments (PUDs), TODs or TNDs for all mixed and multi-use projects and conforming with the following criteria:

1. The type of land use (s), density, and intensity is consistent with the provisions of the land use category, particularly the category's predominant land use;
2. The proposed development is in conformity with the goals, objectives, policies, and operative provisions of this and other elements of the 2030 Comprehensive Plan; and
3. The proposed development is compatible with the surrounding existing land uses and zoning.

Transportation Element (TE) Policy 2.3.8 The City shall encourage, through the development review process, development that will minimize external trip generation through the integration of land uses by requiring such measures as interconnecting land uses, sharing access drives and off-street parking areas, and encouraging planned unit developments. The City's Land Development Regulation's shall be revised as necessary to enforce this policy.

(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 a commercial development. 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:

The use of existing and proposed landscaping: The site is in compliance with the Landscaping Regulations of the Zoning Code. The written description indicates the site will comply with the landscaping regulations.

The treatment of pedestrian ways:

Traffic and pedestrian circulation patterns: There are three entrances to the parking areas, one on each frontage. These will remain and allow dispersal of the employees in any direction.

Compatible relationship between land uses in a mixed use project: The written description includes permitted and permissible uses commonly found in the CRO Zoning District. The current office use will coexist with the proposed restaurant use and any other permitted use in the written description.

(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:

Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon:

The type, number and location of surrounding external uses: The proposed development is located in an area where residential, office, commercial and institutional uses function as a mixed-use development. A restaurant at this location complements the existing hospital, offices, commercial and residential uses for those 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	RPI	CRO	Cummer Museum parking lot, residential quadplex
South	RPI	CRO	Medical office
East	RPI	CRO	Garden Club of Jacksonville, medical office
West	RPI	CRO	Presbyterian Apartments

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 written description proposes significant increases in the type and size of signs allowed in the current CRO Zoning district. The property has the following sign entitlements:

Current sign regulations

Monument sign - max 24 sq. ft
Or Wall sign – max 32 sq. ft.

Proposed sign

Existing wall sign – 300 sq. ft.*
Existing sign is not permitted.

2 wall signs – 575 sq. ft. each

60 sq. ft, blade sign

2 Monument signs 24 sq. ft

The owner has not presented any evidence there is a need for such excessive signage. **The staff recommends the two additional 575 sq. ft. wall signs and the 60 sq. ft. blade sign be deleted from the written description.**

The site currently has a total of 159 parking spaces, with 134 spaces on site and 25 spaces on a separate parcel across Post Street. There are an indeterminate number of on street parking spaces along May Street adjacent to the property. These spaces are not striped but may contain approximately 13 to 14 spaces. A 435 seat restaurant will require a minimum of 109 parking spaces plus 2 spaces for each employee.

(6) Intensity of Development

The proposed development is consistent with the RPI functional land use category as a commercial / office development. The PUD is appropriate at this location because it will support the existing offices, service establishments and hospital in the area.

(7) Usable open spaces plazas, recreation areas.

The project will contain with the required amount of open space. A recreation area is not required.

(8) Impact on wetlands

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site.

(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 site will be developed in accordance with Part 6 of the Zoning Code.

(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 January 20, 2017, the required Notice of Public Hearing sign **was** posted.



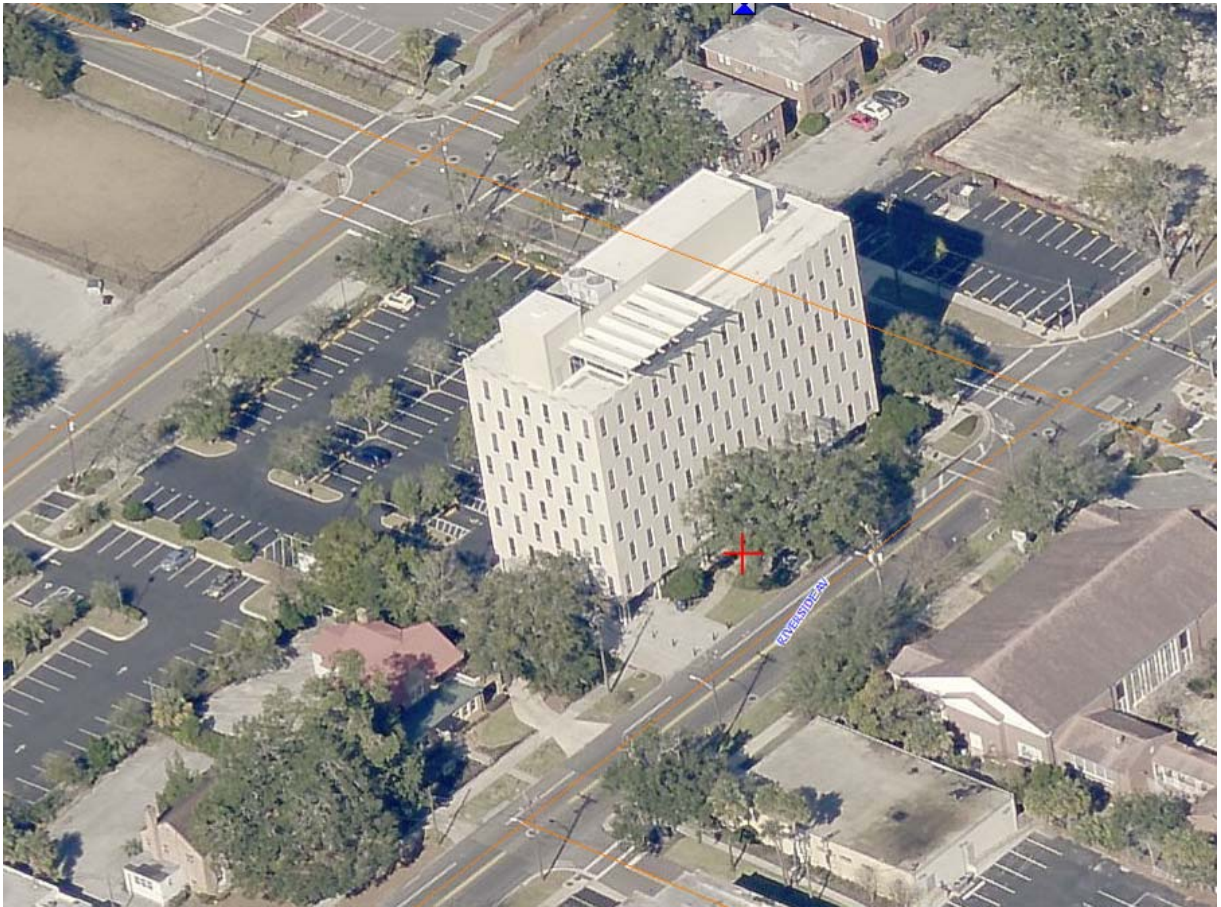
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2017-10** be **APPROVED with the following exhibits:**

1. The original legal description dated November 11, 2016.
2. The original written description dated January 3, 2017.
3. The original site plan dated November 8, 2016.
4. The subject property shall be developed in accordance with the Transportation Planning Division Memorandum dated or as otherwise approved by the Planning and Development Department.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-10** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. Section V.E.3. of the Written Description shall allow only the existing wall sign. Section V.E.4 shall be deleted and no blade sign allowed.
2. 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. This condition shall apply to both phased and non-phased developments.



Aerial view of site and existing building.



View of existing wall sign.



View of existing sign



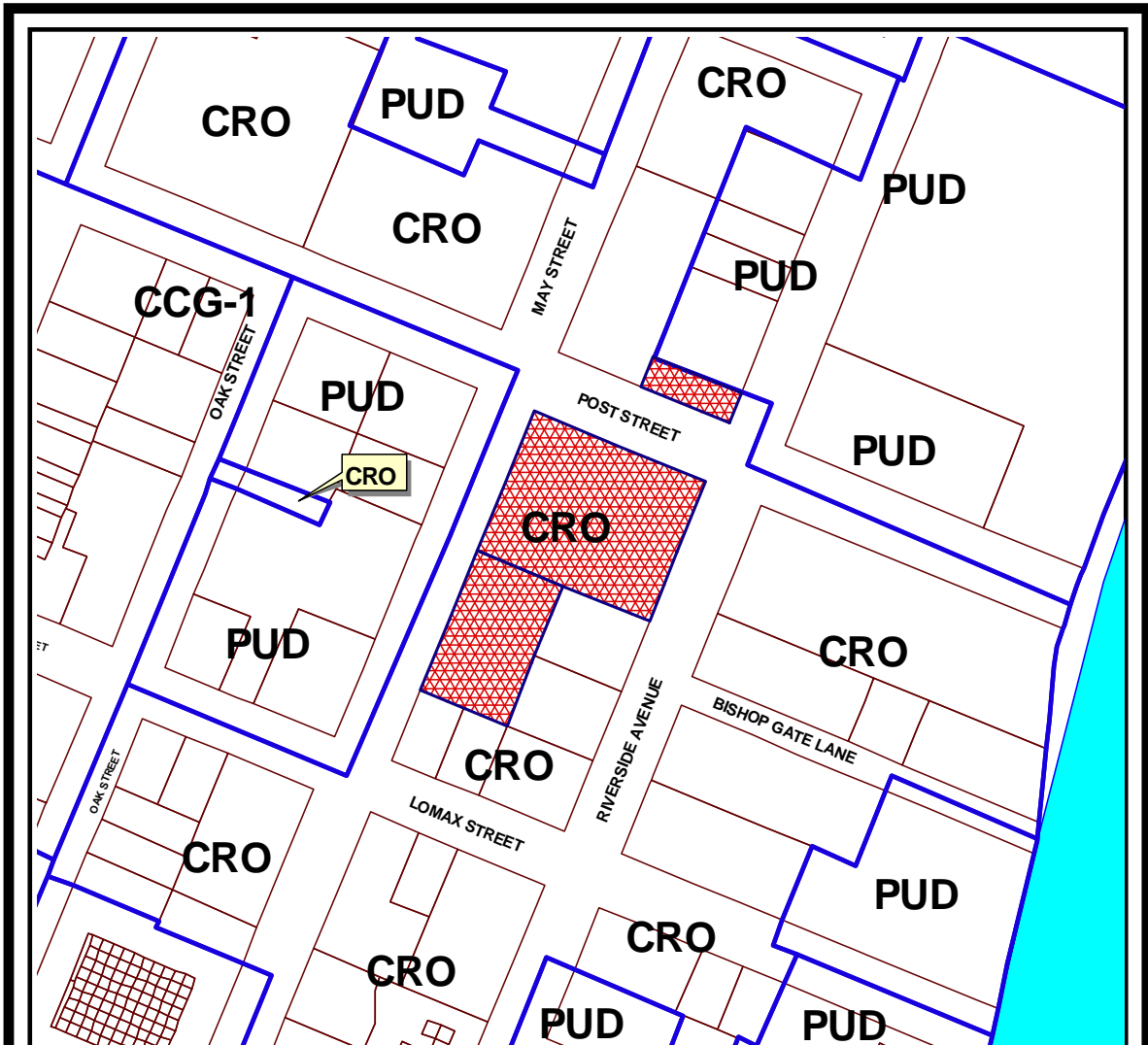
View of building.



View of building on Riverside Avenue



View of building from May Street



<p>REQUEST:</p> <p>FROM: CRO</p> <p>TO: PUD</p>	<p>A map of the city showing the location of the subject property, marked with a black dot in the central area.</p>	<p>A compass rose indicating the cardinal directions: North (N), South (S), East (E), and West (W).</p>
<p>ORDINANCE NUMBER: ORD-2017-0010</p>	<p>TRACKING NUMBER: T-2016-1284</p>	<p>COUNCIL DISTRICT: 14</p> <p>Page 1 of 1</p>