

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2018-303 TO
PLANNED UNIT DEVELOPMENT

JUNE 7, 2018

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 **2018-303** to Planned Unit Development.

Location: 14965 Old St Augustine Road, between Philips Highway and Hatton Chase Lane

Real Estate Number(s): 168080-0300

Current Zoning District: Planned Unit Development (PUD) 2003-1077-E

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Applicant/Agent: Windmill Consulting
Jack Shad
1022 Park Street, #209
Jacksonville, Florida 32204

Owner: Beemer & Associates XX LLC
Mike Ashourian
7880 Gate Parkway, #300
Jacksonville, Florida 32256

Staff Recommendation: **APPROVE with CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2018-303** seeks to rezone approximately 9.40 acres of land from PUD 2003-1077-E to PUD. The rezoning to PUD is being sought to add permissible uses. Uses include: establishes for the production of beer and wine, outside sales and service of food and alcoholic beverages and sale of liquor in conjunction with and without a bona fide restaurant. The site is already developed with a commercial center which includes several restaurants, dry cleaners, church, offices, and dance studio. The previous PUD allowed for CCG-1 uses, boat and RV parking, and self-storage. Legacy Ale Works intends on opening a brewery with taproom in a vacant unit, if this rezoning is approved. They would also like the option of

having an outside sitting area for families to enjoy and bring their dogs. Therefore, the PUD would allow for outside seating with the sale and service of beer and wine by right.

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. According to the category description of the Future Land Use Element (FLUE), Community/General Commercial (CGC) in the Suburban Area is intended to provide development in a nodal development pattern. ACLFs are a secondary use in this land use category. The proposed PUD proposes to add uses to allow for a brewery and taproom, which includes; services of beer and wine by right and allowing sales and service outside of beer and wine. The site will have full urban services available to the site. 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.

The proposed brewery with taproom is not a use currently allowed in the PUD. The proposed PUD will add permitted uses to allow for; an establishment which includes the production or retail sale and service of beer or wine for off-premises consumption or for on-premises consumption or both, the sale and service of beer and wine inside and outside. The proposed uses are consistent with the 2030 Comprehensive Plan.

(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 categories 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:

Future Land Use Element

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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

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.

Policy 1.1.22

Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

Policy 1.2.9

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

Goal 3

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

Objective 3.2

Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

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.

The proposed rezoning has been identified as being related to the following issue identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application should be carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:

Neighborhood Action Plan

The subject site is located within the boundaries of the US 1 Corridor Study (May 2001). The proposed development is located in the southern segment of the corridor, which is the segment pertaining to more recent growth and development. Generally, office and commercial uses that are located in this area were developed after the corridor study was adopted and, as such, have been designed in response to the study. Uses, particularly in the area of the subject site, are not addressed by the US 1 Corridor Study. Most of the study's recommendations address the northern and central segments of the corridor as these areas have older, non-conforming developments and blighting influences.

(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. The agent/owner will need to apply for Concurrency & Mobility for review of this proposed project to determine the Mobility fee that will be due to the office prior to permitting.

(3) Allocation of residential land use

Not applicable. This proposed Planned Unit Development intends to utilize a developed commercial center.

(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 fully developed in accordance to PUD 2003-1077-E and will not be altered with the addition of proposed uses in this PUD.

Traffic and pedestrian circulation patterns: The site is fully developed in accordance to PUD

2003-1077-E and will not be altered with the addition of proposed uses in this PUD.

(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 type, number and location of surrounding external uses: The proposed development is located in an area where there is a mix of commercial uses including a church, restaurants, dance studio, and dry cleaners. The current PUD allows CCG-1 uses. Across Old St Augustine Road there is a similar use to the proposed Legacy Ale Works. Brewz (14866 Old St Augustine Rd #101) is a “filling station” that sells and serves beer and wine with outside seating. They do not have a brewery but they do have beer and wine sales for on and off premises consumption. This use was approved through an exception (E-17-55) in 2017.

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 | MDR | PUD 1997-344-E | Single Family Subdivision |
| South | MU | PUD 2005-117-E | Vacant land |
| East | LI | CO | Railroad |
| West | CGC | CCG-1 | Offices |

(6) Intensity of Development

The proposed uses to be added to the existing development is consistent with the CGC functional land use category. The PUD is appropriate at this location because it will support the surrounding area by providing additional uses to a commercial center.

The location of various proposed uses within the proposed PUD and the degree of compatibility of such uses with each other and with surrounding uses: The current PUD allows CCG-1 uses. The proposed PUD will add uses that would allow for a brewery with outside seating. Across Old St Augustine Road there is a similar use to the proposed Legacy Ale Works. Brewz (14866 Old St Augustine Rd #101) is a “filling station” that serves beer and wine with outside seating. They do not have a brewery but they do have beer and wine sales for on and off premises consumption. This use was approved through exception (E-17-55) in 2017.

The availability and location of utility services and public facilities and services: The site is serviced by JEA for utilities. Any additional gpd may be reviewed by JEA for compliance.

(7) Usable open spaces plazas, recreation areas.

Not required.

(8) Impact on wetlands

Not applicable. There are no wetlands on the property.

(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 has been developed in accordance with PUD 2003-1077-E.

(11) Sidewalks, trails, and bikeways

The site has been developed in accordance with PUD 2003-1077-E.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on May 21, 2018, the required Notice of Public Hearing signs were posted.



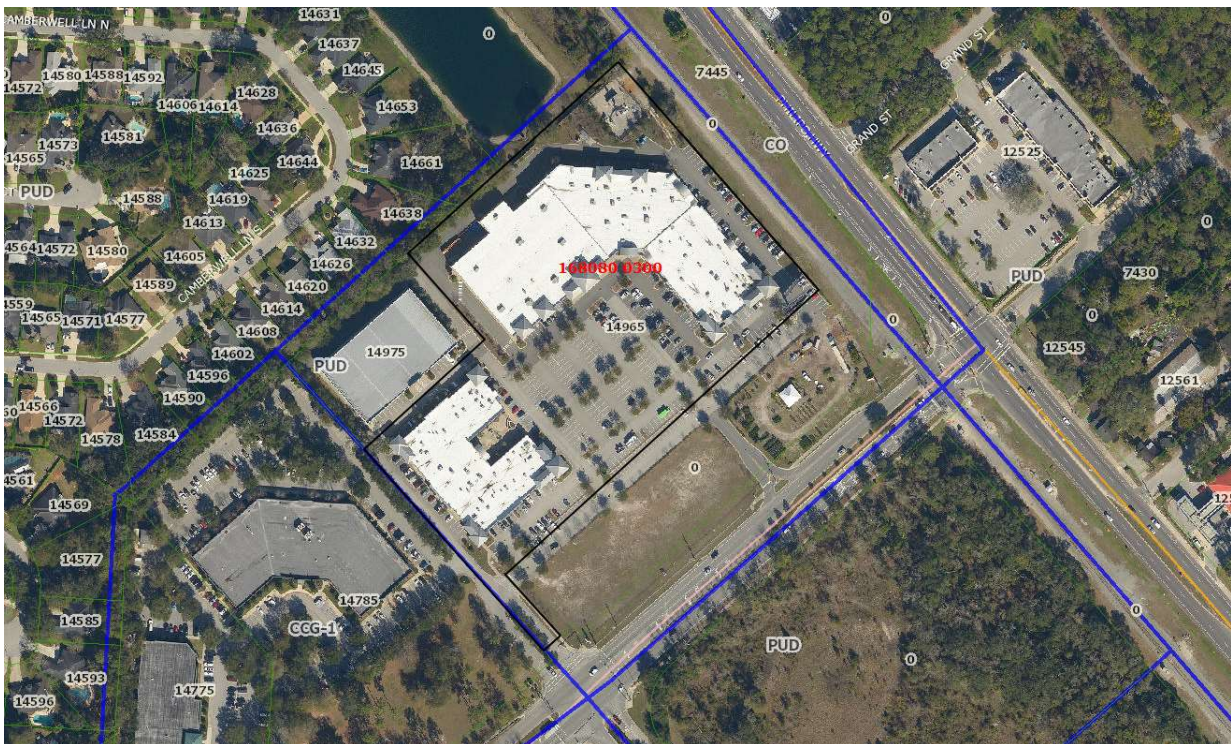
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2018-303 be **APPROVED with the following exhibits:**

1. The original legal description dated 03/15/2018
2. The original written description dated 04/12/2018
3. The original site plan dated 03/02/2018

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2018-303** be **APPROVED with the following CONDITIONS:**

1. Conditions set forth in Ordinance 2003-1077-E will apply to this PUD
2. Establishments for the production and sale of beer and wine, including; breweries, wineries, and meaderies shall not exceed 5,000 square feet.
3. The following changes from Section IV. Uses & Restrictions, subsection A. Permitted uses and structures in Exhibit D:
 - Remove uses (25), (26), and (27)
 - Remove use (30) and move to uses by exception
4. The following changes from Section IV. Uses & Restrictions, subsection B. Permissible uses by exception in Exhibit D:
 - Remove use (1)



Aerial



Proposed units to be converted to a microbrewery and taproom

Source: COJ, Planning & Development Department
Date: 05/21/2018



"Courtyard" outside units

Source: COJ, Planning & Development Department
Date: 05/21/2018



Surrounding units

Source: COJ, Planning & Development Department
Date: 05/21/2018



Surrounding Units

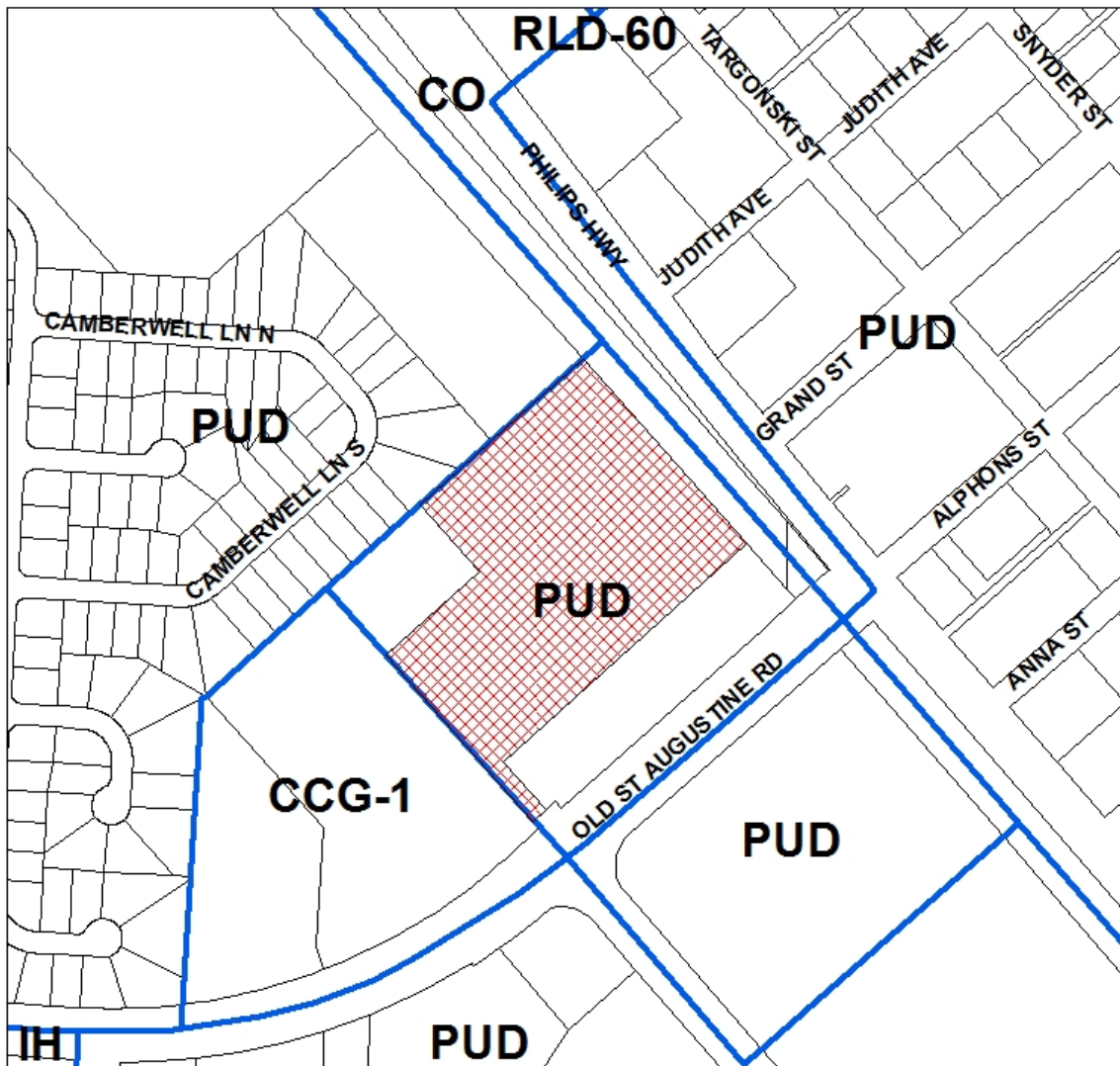
Source: COJ, Planning & Development Department
Date: 05/21/2018



Property to the west: Office Building (14785 Old St Augustine Road)

Source: COJ, Planning & Development Department

Date: 05/21/2018

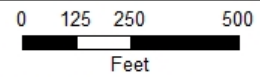
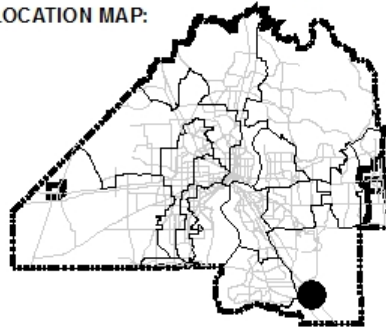


REQUEST SOUGHT:

FROM: PUD

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

11

TRACKING NUMBER

T-2018-1725

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