

**PUD WRITTEN DESCRIPTION**  
**THE SOUTHPOINT PLAZA AT BOWDEN ROAD PUD**  
**October 29, 2024**

**I. PROJECT DESCRIPTION**

- A. Number of acres, location of site, existing use, surrounding uses, types of businesses, and proposed uses: Applicant proposes to rezone approximately 1.8 acres of property located at 6426 Bowden Road, Jacksonville, Florida 32216 (RE# 152571 0000) as more particularly described in Exhibit 1 (the “Property”) and depicted in the conceptual site plan attached as Exhibit 4 (the “Site Plan”). The Property is located within the NC land use category, the Urban Development Area, and is zoned PUD pursuant to Ordinance 2007-1084-E (the “Existing PUD”).

The Property is currently developed as a commercial center with mix of retail, service and restaurant tenants that serve beer and wine on site. This PUD is filed to update the Existing PUD to accommodate a new restaurant tenant seeking on-site consumption of all alcohol and permanent outside sales and service of food and alcohol.

The surrounding land use and zoning designations are as follows:

<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>	<i>Existing Use</i>
North	LDR	RLD-60	Single-family
East	RPI	CRO	Office/warehouse
South	RPI	RMD-D	Multi-family
West	RPI	RMD-D	Multi-family

- B. Project name: The Southpoint Plaza at Bowden Road PUD.
- C. Project engineer: N/A.
- D. Project owners: 6426 Bowden ZCG LLC, 6426 Bowden OE LLC, and 6426 Bowden HM LLC.
- E. Project agent: Driver, McAfee, Hawthorne & Diebenow, PLLC.
- F. Current land use designation: NC.
- G. Current zoning district: PUD (Ordinance 2007-1084-E).
- H. Requested zoning district: PUD.
- I. Real estate number: 152571 0000.

## **II. QUANTITATIVE DATA**

- A. Total acreage: 1.8 acres.
- B. Proposed amount of nonresidential floor area: Twenty-five thousand (25,000) square feet.

## **III. STATEMENTS**

- A. How does the proposed PUD differ from the usual application of the Zoning Code?

This PUD carries over a majority of the Existing PUD but allows restaurants to serve all alcohol and to have outside service and for drive-thrus. This PUD also permits the uses permitted or permissible by exception within the CN zoning district. All uses must park at a minimum ratio of three (3) spaces per one thousand (1,000) per one thousand (1,000) square feet of floor area with no maximum. Separately designated loading spaces are not required provided that loading occurs on the Property and outside of the public right-of-way. The minimum distance for a restaurant serving alcohol from a church or school is reduced to three hundred twenty (320) feet.

- B. Explanation of proposed deviations or waivers.

Restaurants with the service of all alcohol and with outside service is consistent with the surrounding area and is compatible with the existing retail, service, and restaurant uses on the Property. A drive-thru is already constructed on the Property. This PUD changes the parking ratio from requiring eighty-eight (88) spaces to requiring three (3) spaces per one thousand (1,000) square feet of floor area, which is more consistent with the Zoning Code as well as provides flexibility to the landowner in the event of redevelopment. Loading spaces were never built on the Property and has functioned since 1989 when it was first developed. The justification for reducing the minimum distance for a restaurant serving alcohol from a church or school is provided in Section V.I. of this PUD.

- C. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City.

Owners will be responsible for the operation and maintenance of the areas and functions described herein and any facilities that are not provided, operated or maintained by the City.

#### **IV. USES AND RESTRICTIONS**

##### **A. Permitted Uses:**

1. Restaurants, including with the sale of all alcohol and/or with permanent outside sales and service.
2. Drive-thru facilities.
3. Retail outlets.
4. Day care centers and children's nurseries, meeting the performance standards and development criteria set forth in Part 4.
5. Neighborhood scale rental of automotive vehicles, including associated office, retail and service. A maximum of six (6) rental vehicles associated with any automotive rental merchant may be parked at the Property at any given time. No sales of automobiles may occur.
6. Medical and dental or chiropractor offices and clinics (but not hospitals).
7. Professional and business offices.
8. Multi-family residential.
9. Neighborhood retail sales and service establishments, however no individual building footprint shall exceed 40,000 square feet.
10. Service establishments such as barber, beauty and shoe repair shops.
11. Banks, financial institutions, travel agencies and similar uses.
12. Libraries, museums and community centers.
13. An establishment or facility which includes the retail sale of beer or wine for on- or off-premises consumption.
14. Veterinarians meeting the performance standards and development criteria set forth in Part 4.
15. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
16. Employment office (but not a day labor pool).

17. Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4.
18. Art galleries, dance, art, gymnastics, fitness center, martial arts, music and photography studios, and theaters for stage performances (but not motion picture theaters).

B. Permissible Uses by Exception:

1. Off-street parking lots for premises requiring off-street parking meeting the performance standards and development criteria set forth in Part 4.
2. Filling or gas stations, with ancillary single bay automated car wash, meeting the performance standards and development criteria set forth in Part 4.
3. An establishment or facility (not including a restaurant) which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption.
4. Animal boarding for household pets, meeting the performance standards and development criteria set forth in Part 4.
5. Automated Car Washes meeting the performance standards and development criteria set forth in Part 4.
6. Auto Laundry, meeting the performance standards and development criteria set forth in Part 4.

C. Permitted Accessory Uses and Structures:

1. As permitted in Section 656.403 of the Zoning Code.
2. In connection with multiple-family dwellings, including townhomes, coin-operated laundromats and other vending machine facilities, day care centers, establishments for sale of convenience goods, personal and professional service establishments; provided, however, that these establishments shall be designed and scaled to meet only the requirements of the occupants of these multiple-family dwellings and their guests with no signs or other external evidence of the existence of these establishments.

D. Limitations on Uses:

1. Dumpsters, propane tanks and similar appurtenances shall be screened from any roadways by landscaping or opaque fencing which is aesthetically compatible with other structures located, or to be located, on the Property.

2. Products shall be sold only at retail.

## V. DESIGN GUIDELINES

### A. Lot requirements:

1. Minimum lot width: Seventy-five (75) feet, except as otherwise required for certain uses.
2. Minimum lot area: Seven thousand five hundred (7,500) square feet, except as otherwise required for certain uses.
3. Maximum lot coverage by all buildings: Fifty percent (50%). Maximum impervious surface ratio as required by Section 654.129.
4. Minimum yard requirements:
  - a. Front (north) – Ten (10) feet.
  - b. Side (east/west) – Zero (0) feet.
  - c. Rear (south) – Ten (10) feet.
5. Maximum height of structures: Sixty (60) feet, provided the building height shall not exceed forty-five (45) feet when adjacent to a single-family use or zoning district.

### B. Ingress, Egress and Circulation:

1. *Parking Requirements.* A minimum of three (3) spaces per one thousand (1,000) square feet of floor area with no maximum shall be required for all uses permitted or permissible by exception, including restaurants. Separately designated loading spaces are not required provided that loading occurs on the Property and outside of the public right-of-way.
2. *Vehicular Access.* Vehicular access to the Property shall be by way of Bowden Road and Salisbury Road, as conceptually shown on the Site Plan.
3. *Pedestrian Access.* As required by City regulations.

- C. *Signs:* Signs for this development shall be consistent with the requirements for the CN zoning district as set forth in Part 13 of the Zoning Code, except that two (2) double-faced or single-faced illuminated monument signs are permitted. Each sign shall be up to two hundred thirty (230) square feet in area on each side, and up to thirty (30) feet in height.

- D. Landscaping: Landscaping shall be provided as generally depicted in the Site Plan.
- E. Recreation and Open Space: Recreation and open space shall be provided as required by the 2045 Comprehensive Plan.
- F. Utilities: Essential services, including water, sewer, and gas, as required to serve the project shall be permitted on the site. Water, sanitary sewer and electric will be provided by JEA.
- G. Wetlands: Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- H. Modifications: The Site Plan is conceptual in nature and subject to change. This PUD may be modified administratively, by minor modification, or by major modification (rezoning) subject to the procedures set forth in Section 656.341 of the Zoning Code or as set forth herein.
- I. Minimum Distance for Liquor License Location: The minimum distance for a restaurant serving alcohol from a church or school shall be three hundred twenty (320) feet. The closest tenant within the Property (Southpoint Food Mart) is located three hundred twenty (320) feet from St. George's Antiochian Church (the "Church") located at 6300 Bowden Road as depicted on the liquor survey filed herewith. The proposed new restaurant is occupying Suite 206, intends to serve all alcohol, and is located four hundred twenty (420) feet away from the Church. The new restaurant is replacing Mr. Taco, which was a restaurant offering on-site consumption of beer and wine. The proposed alcohol use is designed to be an integral part of the Property, which is a mixed-use service, retail, and restaurant commercial center. Alcohol consumption is critical to the business models of the incoming restaurant as well as the existing Thai Spice Kitchen which serves beer and wine. The Property has approximately twenty thousand (20,000) square feet of leasable space. The proposed restaurant as well as Thai Spice Kitchen qualify as bona fide restaurants. The consumption of alcohol on the Property is not directly visible from the Church and is physically separated. The driving distance from any alcohol use to the Church is over five hundred (500) feet and would require leaving the Property, driving along Bowden Road, a designated collector, crossing Victoria Park Road, before entering the Church grounds. As stated, the proposed restaurant is replacing a restaurant that included beer and wine sales.

## **VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT**

In accordance with Section 656.341(d) of the Code the PUD meets the applicable Criteria for review as follows:

- A. **Consistency with the Comprehensive Plan.** The proposed PUD is consistent with the general purpose and intent of the City's 2045 Comprehensive Plan and Land Use

Regulations, will promote the purposes of the City's 2045 Comprehensive Plan and specifically contributes to:

*Future Land Use Element*

1. Goal 1 - To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.
2. 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.
3. Policy 1.1.6 - 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.
4. Policy 1.1.9 - Promote the use of Planned Unit Development (PUD) zoning districts, cluster developments, and other innovative site planning and smart growth techniques in order to allow for appropriate combinations of complementary land uses, densities and intensities consistent with the underlying land use category or site specific policy, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations. These techniques should consider the following criteria in determining uses, densities, intensities, and site design:
  - a. Potential for the development of blighting or other negative influences on abutting properties
  - b. Traffic Impacts
  - c. Site Access
  - d. Transition of densities and comparison of percentage increase in density above average density of abutting developed properties
  - e. Configuration and orientation of the property
  - f. Natural or man-made buffers and boundaries
  - g. Height of development
  - h. Bulk and scale of development
  - i. Building orientation
  - j. Site layout
  - k. Parking layout

1. Opportunities for physical activity, active living, social connection, and access to healthy food
5. Policy 1.1.13 - Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:
  - a. Creation of complementary uses;
  - b. Enhancement of transportation connections;
  - c. Use of noise, odor, vibration and visual/ aesthetic controls; and/or
  - d. Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.
6. 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.
7. Objective 1.2 - Manage the use of land in the City by approving new development and redevelopment only if necessary public facilities are provided concurrent with the impacts of development. Ensure the availability of adequate land suitable for utility facilities necessary to support proposed development. Verify prior to development order issuance that all new development and redevelopment will be served with potable water, wastewater, solid waste disposal, stormwater management facilities, and parks that meet or exceed the adopted Levels of Service established in the Capital Improvements Element.
8. Policy 1.2.8 - 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.

Development on sites located within the UPA, UA and SA are permitted where connections to centralized potable water and/or wastewater are not available subject to compliance with the following provisions:

- a. Single family/non-residential (estimated flows of 600 gpd or less) where the collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
- b. Non-residential (above 600 gpd) where the collection system of a regional utility company is not within 50 feet of the property.
- c. Subdivision (non-residential and residential) where:
  - i. The collection system of a regional utility company is greater than  $\frac{1}{4}$  mile from the proposed subdivision.



- ii. Each lot is a minimum of ½ acre unsubmerged property.
  - iii. Installation of dryline sewer systems shall be installed when programmed improvements are identified in the Capital Improvements Element which will make connections to the JEA Collection Systems available within a five-year period.
- 9. 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.
- 10. Objective 3.2 - 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.
- 11. Policy 3.2.2 - The City shall encourage, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.
- 12. Policy 4.1.2 - The City shall require that all development conform to the densities and intensities established in the Future Land Use Map series and Operative Provisions of this element and be consistent with the plan.
- B. **Consistency with the Concurrency Management System.** All development will secure necessary approvals from the CMMSO and pay all required fees in accordance with Chapter 655 of the Code.
- C. **Allocation of residential land use.** This PUD permits multi-family residential dwellings. Any residential development must comply with the 2045 Comprehensive Plan.
- D. **Internal compatibility.** The Site Plan conceptually depicts access and circulation within the site. Access to the site is available from Bowden Road and Salisbury Road. Location of the access points shown on the Site Plan as well as final design of the access points are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.
- E. **External compatibility / Intensity of development.** The proposed development is consistent with and complimentary to existing uses in the area. The commercial center was originally constructed in 1989. This PUD is to permit restaurants with the service of all alcohol and outdoor sales.
- F. **Usable open spaces, plazas, recreation areas.** Open space in compliance with the 2045 Comprehensive Plan will be substantially provided as shown on the Site Plan attached as Exhibit E.

- G. **Impact on wetlands.** Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- H. **Listed species regulations.** The Property is less than fifty (50) acres and therefore a listed species survey is not required.
- I. **Off-Street parking including loading and unloading areas.** A minimum of three (3) spaces per one thousand (1,000) square feet of floor area with no maximum shall be required for all uses permitted or permissible by exception, including restaurants. Separately designated loading spaces are not required provided that loading occurs on the Property and outside of the public right-of-way.
- J. **Sidewalks, trails and bikeways.** Pedestrian circulation will be addressed consistent with the City regulations.