

Riviera Parkway Apartments PUD

~~December 17, 2019~~

January 31, 2020

RE #'s: 077847-0000; 078443-0000; 078437-0000

Current Zoning District: RMD-B and RLD-60

Current Land Use Designation: LDR and MDR

Proposed Land Use Designation: MDR

Requested Zoning District: PUD

1. SUMMARY DESCRIPTION OF THE PLAN

J.P.E. Properties, LLC and Cherry St., LLP (the “Applicants”) propose to rezone approximately 1.02 acres of land (the “Property”) from Residential Medium Density – B (RMD-B) and Residential Low Density – 60 (RLD- 60) to Planned Unit Development (this “PUD”). The Property is located south of St. Johns Avenue, east of Cherry Street, west of Bayard Place and north of the St. Johns River.

In 2003, the property known as the “Riviera Parkway Apartments” (the “Adjacent Property”) was rezoned from Residential Medium Density-E (RMD-E) and Residential Low Density-G (RLD-G) to Planned Unit Development (2003-453-E) (the “Existing PUD”). The Existing PUD zoning district was requested to conform the existing structures on the Adjacent Property, which were built between 40 and 80 years ago, with the City’s Future Land Use Map and Zoning Code as adopted and revised after such construction. In essence the Existing PUD permits the existing development and urban in-fill of property that is presently utilized for multi-family dwellings.

This PUD is proposed to incorporate certain adjacent properties, which comprise the Property, into the overall scheme of development of the Riviera Parkway Apartments under Existing PUD, which properties have been acquired by the Applicants since the adoption of the Existing PUD. The Property is under common management with the Riviera Parkway Apartments, shares in the amenities of the Riviera Parkway Apartments and is otherwise operated in conjunction with the Riviera Parkway Apartments.

The Property is currently owned by the Applicants (with each entity holding one or more properties) and is more particularly described on Exhibit “1” attached to this Ordinance. The Property presently contains a total of 15 dwelling units with approximately 19 off street parking spaces. Access to and from the existing development will be provided from existing drives, as shown in the site plan attached as Composite Exhibit 4 to this Ordinance (the “Site Plan”). The Riviera Parkway Apartments, which are subject to the Existing PUD, are shown on the Site Plan as Parcel A. The portion of the Property located at 2762 Vernon Terrace is shown on the Site Plan as Parcel B. The portions of the Property located at 1861 Cherry Street and 1845 Cherry Street are shown on the Site Plan as Parcel C and Parcel D, respectively.

The subject property to the north across St. Johns Avenue contains a mixture of multi-family and grandfathered office uses zoned RMD-D. The property to the west is zoned RMD-B and has a mix of residential and office uses. The property to the east includes is zoned RLD-60

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and with a mixture of multi-family, single family and bed & breakfast uses. The St. Johns River is located south of the Property.

This PUD permits the existing development of 15 multifamily residential units as depicted on the Site Plan. These 15 dwelling units have been built on the Property during the past 60 to 80 years. The current land use categories on the subject property is LDR and MDR. An amendment to the Future Land Use map of the Comprehensive Plan is being sought simultaneously with this PUD to change the land use designation of the portion of the Property located on Vernon Terrace, Parcel B, to MDR. The portion of the Property on Vernon Terrace has a density of 11 units per acre, which is consistent with the MDR land use category. The portions of the Property located at 1861 and 1845 Cherry Street, Parcels C and D, have a density, when considered together, of 20 units per acre, consistent with its current MDR land use category. Since 1861 and 1845 Cherry Street, Parcels C and D, are both governed by this PUD, the foregoing density calculation is permitted on a cumulative basis.

The primary uses in the MDR land use category are multi-family developments, such as this. This site is located in an urban setting, amid other urban uses. Other urban multifamily developments are prevalent throughout the area.

The PUD provides for: specific and controlled access; specific landscaping and specific design and site planning features. Essentially, the PUD provides for a site planned development specific to and consistent with the urban setting at this location which has existed for more than 60 years. ~~However, nothing in this PUD shall prohibit future applications to close the alleys that run adjacent to the Property.~~

2. PUD DEVELOPMENT CRITERIA

A. Maximum Density:

15 dwelling units, cumulatively on the Property.

B. Permitted Use and Structures:

Those uses and structures permitted in the RMD-B zoning district.

C. Permitted Uses and Structures by Exception:

Those uses and structures permitted by exception in the RMD-B zoning district.

D. Permitted Accessory Uses:

Those uses and structures permitted as accessory uses in the RMD-B zoning district, but subject to the setbacks shown on the Site Plan and not those contained in Part 4.

E. Minimum Lot and Building Requirements

Minimum Lot Width: Sixty (60) feet

Minimum Lot Area: As noted on the Site Plan, which are as follows:

1. **Parcel B** - 24,487 square feet
2. **Parcel C** - 11,021 square feet
3. **Parcel D** - 9,024 square feet

Minimum Yard Requirements: As noted on the Site Plan.

Maximum Building Height: Thirty-five (35) feet to average height of the roof. As provided in Section 656.405, Ordinance Code, chimneys and other appurtenances may be placed above this maximum height.

Maximum lot coverage by buildings and structures: 50%

F. **Access:** Access will be from existing curb cuts as shown on the Site Plan. The PUD zoning district is being requested to conform the existing structures, which were built between 60 and 80 years ago, with the City's Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings with no changes to the existing access. ~~However, nothing in this PUD shall prohibit future applications to close the alleys that run adjacent to the Property, and to provide access from the same.~~

G. **Signage:** Existing signage shall be permitted to remain or be replaced, consistent with the height, size, location and other characteristics (e.g. illuminated or non-illuminated) of the existing signage.

H. **Parking and Loading Requirements:** According to the code approximately 32 parking spaces would be required calculated as follows: 30 parking spaces for the 15 two bedroom units and 2 spaces for the owner/operator and employees. 19 parking spaces are provided as depicted on the Site Plan. The Applicant submits that, based on over 60 years of operation, this location has demonstrated that sufficient parking exists on site.

I. **Landscaping:** The landscaping will remain as it presently exists. The PUD zoning district is being requested to conform the existing structures, which were built between 60 and 80 years ago, with the City's Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings with no changes to the landscaping in order to maintain the existing character of the neighborhood including the relationship between the present structures and adjacent single family uses. In the event that more than 50% of the development is replaced or rebuilt in one 365 consecutive day period landscaping will, to the extent feasible in relation to the remaining components of this PUD, be replaced or rebuilt will conform to the land development regulations in effect at that time.

J. **Architectural Compatibility:** The architecture of this development complements the local historic architecture of the surrounding neighborhood. The PUD zoning district is being requested to conform the existing structures, which were built between 60 and 80

years ago, with the City’s Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings with no changes proposed to the existing architecture.

K. **Phasing:** This development has already been built.

L. **Utilities:** Electric utility, water and sewer are provided by the Jacksonville Electric Authority.

M. **Storm Water Retention:** Storm water retention shall remain as previously constructed.

N. **Pre-application Conference:** A pre-application conference was held regarding this application on July 23, 2019.

3. **LAND USE TABLE:**

A Land Use Table is attached hereto as Exhibit “F.”

4. **PUD/DIFFERENCE FROM USUAL APPLICATION OF ZONING CODE**

The existing zoning districts applicable to the Property are RMD-B and RLD-60. While the existing structures on the Property were built between 60 and 80 years ago, such structures may not conform to the requirements of the existing Zoning Code with respect to setbacks, lot width, lot area, etc. The purpose of this PUD is to ensure that the existing structures on the Property may be repaired, maintained and rebuilt with the same footprint and intensity of use as have existed for the past 60 to 80 years. Therefore, this PUD deviates from the Zoning Code to the extent that the existing structures on the Property deviate from the Zoning Code, as shown on the Site Plan. Differentiations from the Zoning Code that are capable of being specifically set forth are outlined in the table below.

| Element | Zoning Code | Proposed PUD | Reasoning |
|-----------------|---|--|--|
| Parking: | 30 parking spaces for the 15 two bedroom units and 2 spaces for the owner/operator and employees. | 19 parking spaces are provided as depicted on the Site Plan. | To ensure that the existing structures on the Property may be repaired, maintained and rebuilt with the same footprint and intensity of use as have existed for the past 60 to 80 years. |
| Access: | In accordance with Part 6 of the Zoning Code. | Access will be from existing curb cuts as shown on the Site Plan. The PUD zoning district is being requested to conform the existing structures, which were built between 60 and 80 years ago, with the City’s Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings with no changes to the existing access. | To ensure that the existing structures on the Property may be repaired, maintained and rebuilt with the same footprint and intensity of use as have existed for the past 60 to 80 years. |
| Signage: | RLD-60 and RMD-B: | Existing signage shall be permitted to remain or be replaced, consistent with the height, size, location and other characteristics (e.g. | To ensure that the existing structures on the Property may be repaired, maintained and rebuilt with the same footprint and intensity |

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| | <p>(i) One nonilluminated sign not exceeding a maximum of one square foot in area and mounted flat against the wall of the building or structure is permitted, unless otherwise specifically prohibited in the Zoning Code.</p> <p>(ii) One nonilluminated sign not exceeding a maximum of 24square feet in area may be allowed, provided it is specifically authorized in the grant of exception, unless otherwise specifically prohibited in the Zoning Code.</p> | illuminated vs. non-illuminated) of the existing signage. | of use as have existed for the past 60 to 80 years. |
| Landscaping: | In accordance with Part 12 of the Zoning Code. | The landscaping will remain as it presently exists. The PUD zoning district is being requested to conform the existing structures, which were built between 60 and 80 years ago, with the City’s Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings with no changes to the landscaping in order to maintain the existing character of the neighborhood including the relationship between the present structures and adjacent single family uses. In the event that more than 50% of the development is replaced or rebuilt in one 365 consecutive day period landscaping will, to the extent feasible in relation to the remaining components of this PUD, be replaced or rebuilt will conform to the land development regulations in effect at that time. | To ensure that the existing structures on the Property may be repaired, maintained and rebuilt with the same footprint and intensity of use as have existed for the past 60 to 80 years. |
| Minimum Lot and Building Requirements : | <p><u>RMD-B:</u></p> <p><u>Minimum Yard Requirements:</u></p> <p>(i) Front – 20 feet</p> <p>(ii) Side – 10 feet</p> <p>(iii) Rear – 20 feet</p> <p>Minimum Lot Area: 6,000 square feet for the first two family units and 4,400 square feet for each additional unit, not to exceed ten units per acre.</p> <p>Maximum Height: 45 feet; provided, however, that height may be unlimited where all required yards are increased by one foot for each one foot of building height or fraction thereof in excess of 45 feet.</p> <p><u>RLD-60:</u></p> <p>Minimum Yard Requirements:</p> <p>(i) Front – 20 feet</p> <p>(ii) Side – 5 feet</p> <p>(iii) Rear – 10 feet</p> <p>Minimum Lot Area:</p> <p>6,000 square feet</p> | <p>Minimum Lot Area: As noted on the Site Plan.</p> <p>Minimum Yard Requirements: As noted on the Site Plan.</p> <p>Maximum Building Height: Thirty-five (35) feet to average height of the roof. As provided in Section 656.405, Ordinance Code, chimneys and other appurtenances may be placed above this maximum height.</p> | To ensure that the existing structures on the Property may be repaired, maintained and rebuilt with the same footprint and intensity of use as have existed for the past 60 to 80 years. |
| Permitted Accessory Uses: | In accordance with Section 656.403. | Those uses and structures permitted as accessory uses in the RMD-B zoning district, but subject to the setbacks shown on the Site | To ensure that the existing structures on the Property may be repaired, maintained and rebuilt with the same footprint and intensity |

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| | | Plan and not those contained in Part 4. | of use as have existed for the past 60 to 80 years. |
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5. **PUD REVIEW CRITERIA:**

A. **Consistency With the Comprehensive Plan:** The subject property is currently located within the LDR and MDR categories. A land use amendment is proposed to change the land use designation of a portion of the Property (2762 Vernon Terrace – Parcel B) to MDR. The portion of the Property located at 1861 and 1845 Cherry Street, Parcels C and D, have a gross density of 20 units per acre, consistent with its current MDR land use category. These existing densities are consistent with the maximum densities permitted in the MDR land use categories.

B. **Consistency with the Concurrency Management System:** The development is already built and therefore remains consistent with the Concurrency Management System. The PUD zoning district is being requested to conform the existing structures, which were built between 60 and 80 years ago, with the City’s Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings, as a result the Applicant is not required to seek a CCAS.

C. **Internal Compatibility/Vehicular Access:** The Site Plan depicts present access and internal circulation. The PUD zoning district is being requested to conform the existing structures, which were built between 60 and 80 years ago, with the City’s Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings with no changes proposed to the internal circulation patterns or vehicular access.

D. **External Compatibility:** The existing multi-family dwelling units fit nicely into the existing land use fabric of Riverside and Avondale. Several multi-family units with higher density developments already exist in this neighborhood. The PUD zoning district is being requested to conform the existing structures, which were built between 60 and 80 years ago, with the City’s Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings to remain in place.

E. **Intensity of Development:** The proposed development would be consistent and comparable with the intensity of development in the area. To the east are a mix of office and residential uses. To the north are office and residential uses. To the west are multi-family and bed & breakfast uses. The PUD zoning district is being requested to conform the existing structures, which were built between 60 and 80 years ago, with the City’s Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings to remain in place.

F. **Maintenance of Common Areas and Infrastructure:** All common areas will be maintained by the owner of the Property or an owners’ association.

G. **Usable Open spaces, Plazas, Recreation Areas:** The PUD includes laundry, maintenance buildings, garages and other amenities to serve the needs of the residents as depicted on the Site Plan. The PUD zoning district is being requested to conform the existing structures, which were built between 60 and 80 years ago, with the City's Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings with no proposed changes to the existing open space.

H. **Impact on Wetlands:** The property includes no jurisdictional wetlands.

I. **Listed Species Regulations:** Not applicable.

J. **Off-Street Parking Regulations:** According to the code approximately 30 parking spaces would be required as calculated above. Approximately 19 parking spaces are provided as depicted on the Site Plan. The Applicant submits that, based on over thirty years of operating experience, this location has demonstrated that sufficient parking exists on site. Furthermore, mass transit is readily accessible from the site, and shopping is located within walking distance.

K. **Sidewalks, Trails and Bikeways:** Sidewalks shall be maintained and/or improved along the exterior of the subject property along St. Johns Avenue and Bayard Place. Walkways within the development are depicted on the Site Plan. The PUD zoning district is being requested to conform the existing structures, which were built between 40 and 80 years ago, with the City's Future Land Use Map and Zoning Code as adopted and revised since that time. This PUD permits the existing development that is presently utilized for multi-family dwellings with no proposed changes to the sidewalks.