

Taylor McDuff/Commonwealth PUD

September 24, 2024

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. RE #: 050610-0000, 056005-0000, 056006-0000, 056007-0000, 056008-0000, 056009-0000
- B. Current Land Use Designation: CGC & LDR
- C. Proposed Land Use Designation: CGC
- E. Current Zoning District: CCG-1 & RLD-60
- D. Proposed Zoning District: PUD

II. SUMMARY AND PURPOSE OF THE PUD/COMPREHENSIVE PLAN CONSISTENCY

William Taylor and Kevin Thigpen (the “Applicant”) proposes to rezone approximately 1.56 acres of property located at the corner of Commonwealth Avenue and McDuff Avenue North from Community Commercial General (“CCG-1”) and Residential Low Density (“RLD-60”) to Planned Unit Development (“PUD”). The property is more particularly described by the legal description attached hereto as **Exhibit “1”** (the “Property”). As described below, the PUD zoning district is being sought to provide for a development, which includes commercial uses. The PUD allows for new uses, and building types to be developed in a manner that is internally consistent, compatible with external uses, and provides for innovative site planning concepts that will create an aesthetically pleasing environment. The PUD shall be developed in accordance with this PUD Written Description and the PUD Site Plan which is attached to this application.

The Property is designated as Community General Commercial (“CGC”) and Low Density Residential (“LDR”) on the Future Land Use Map (FLUM) of the 2045 Comprehensive Plan. The property has a proposed Land Use Amendment of Community General Commercial (“CGC”). The PUD shall be developed consistent with the applicable CGC land use category of the 2045 Comprehensive Plan.

III. SITE SPECIFICS

Surrounding land use designations, zoning districts, and existing uses are as follows:

	<u>Land Use Category</u>	<u>Zoning</u>	<u>Use</u>
North	CGC	CCG-2	Commercial
East	ROS	PRBF-1	Park
South	LDR	RLD-60	Residential
West	CGC	CCG-2	Commercial

IV. PERMITTED USES

A. Density/Intensity

Consistent with the provisions of the Future Land Use Element of the 2045 Comprehensive Plan governing CGC uses described in Section 656.313 will allow a range of retail sales and services including general merchandise, apparel, food, and related items. General commercial uses include offices, highway commercial, and similar other types of commercial developments.

B. PUD Site Plan

The PUD Site Plan is attached hereto. The parcel designations are solely for the purpose of defining the general location of permitted uses within the PUD; they do not define or correlate to ownership and do not subdivide the Property. Parcel size, configuration, and boundaries as shown on the PUD Site Plan may be modified as an administrative modification to the PUD, subject to the review and approval of the Planning and Development Department.

C. Permitted Uses

- a. General trade contractors office with equipment and materials with outside storage.
- b. Retail outlets for the sale of food including grocery stores, apparel, toys, sundries and notions, books and stationary, leather goods and luggage, jewelry, art, cameras or photographic supplies including camera repair, sporting goods, hobby shops and pet shops, musical instruments, florists, delicatessens, bakeries, restaurants, home furnishings and appliances including repairs incidental to sales, office equipment or furniture, hardware, antiques, new automobile parts (including rebuilt parts) and accessories, plant nurseries, home improvement, and all other similar retail uses. These uses include drive-through and drive-in facilities.
- c. Retail outlets for the purchase, sale, or trade of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
- d. Fruit, vegetable, poultry or fish market.
- e. Personal service establishments such as barber and beauty shops, shoe repair, interior decorators, health clubs and gymnasiums, personal fitness training facilities, spas, laundries and dry cleaners, tailors, dry cleaning pickup, travel agencies, and similar uses.
- f. Studios where art, pottery, or crafts are made.
- g. Blueprinting and job printing.
- h. Express or parcel delivery offices, but not trucking distribution centers.

i. Outside retail sales of holiday items, including fireworks, subject to the performance standards and development criteria set forth in Section F below.

j. Personal property storage establishments, subject to the performance standards and development criteria set forth in Part 4 of the Zoning Code.

k. Essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television, electric and communication towers subject to the performance standards in Part 4 of the Zoning Code.

l. Wholesaling or distributorship businesses located within a retail shopping center (but not on an out-parcel or within a stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.

m. Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.

n. Cosmetology and similar uses including facilities for production of eyeglasses, hearing aids, dentures, prosthetic appliances and similar products.

o. Art galleries, dance, art, pottery, crafts, gymnastics, fitness/exercise centers, martial arts and music studios, and theaters for stage performances, and similar uses.

p. Vinyl sign businesses, automotive wrap, automotive window tinting and automotive glass repair.

q. Outdoor storage yards and lots including auto storage yards (but not scrap processing yards or concrete batch mixing plants) if storage is completely enclosed by a six-foot fence or wall not less than 95 percent opaque.

r. Service garages for minor repair of automobiles and establishments for the service and repair of general appliances and small engines.

s. professional and business offices.

t. Medical uses, including:

(i) Medical, dental and chiropractic offices or clinics

(ii) Rehabilitation hospitals, including inpatient, outpatient, and skilled nursing programs and services.

u. Mortgage brokers, stockbrokers, and similar financial institutions.

v. Public buildings and facilities.

- w. Radio and television broadcasting studios and offices.
- x. Essential services, including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television and electric, meeting the performance standards and development criteria set forth in Section IV.I.3 below.

2. *Permissible uses by exception.*

a. All permissible uses by exception as provided in Section 656.313 IV. (c) of the Land Development Code.

b. Establishments which include the retail sale and service of all alcoholic beverages, including all alcohol for on-premises consumption or off premises consumption or both.

3. *Minimum lot width, Maximum density, Maximum lot coverage by all buildings, Minimum yard requirements, and Maximum height of structures for each Retail/Commercial use.*

a. *Minimum lot width*—None.

b. *Maximum lot coverage by all buildings*— None.

c. *Minimum yard requirements.* The minimum yard requirements for all structures are:

(a) McDuff Ave — 0 feet.

(b) Commonwealth Ave — 0 feet.

(c) Side East — 10 feet.

(d) Burnside St – 0 feet

d. *Maximum height of structures*— Thirty-Five (35) feet.

D. Accessory Uses and Structures

Accessory uses and structures are permitted if those uses and structures are of the nature customarily incidental and clearly subordinate to a permitted principal use or structure and these uses and structures are located on the same lot (or contiguous lot in the same ownership) as the principal use. Whether attached or detached to a building or structure containing the principal use, the accessory structure shall be considered as a part of the principal structure. Accessory uses shall be subject to the following:

1. Accessory uses and structures are allowed as permitted in Section 656.403 of the Zoning Code.

E. Additional Performance Standards

Additional performance standards for those uses identified shall be as follows:

1. Essential services including central water systems, sewerage systems, utility lines, and easements shall be provided in accordance with the appropriate sections of the City of Jacksonville Ordinance Code.

2. Outside retail sale of holiday items, including fireworks, shall be permitted subject to the following conditions:

a. The holiday items sold shall be limited to those items which are related to the holiday immediately upcoming at the end of the applicable 30-day period. For example, prior to New Year's Day and the Fourth of July - legal fireworks; prior to Christmas - Christmas trees and ornaments; prior to Halloween - costumes and decorations related to Halloween. Whether an item is related to the upcoming holiday shall be determined by the Director of the Planning and Development Department or the Director's designee.

b. There shall be adequate parking sufficient to accommodate the additional temporary retail sales without reducing the number of available parking spaces required by the Zoning Code in connection with the other principal use(s), unless, in the opinion of the Planning and Development Department, adequate parking is otherwise available.

c. There shall be adequate access to the site from the right-of-way, such that the temporary outside retail sales will not result in undue traffic congestion. The site plan for the site shall be submitted to the City Traffic Engineer for review and approval to ensure that access to the site from the right-of-way will not result in undue traffic congestion, prior to the issuance of the permit by the Chief of the Building Inspection Division.

d. Outside retail sales of holiday items shall occur only by permit issued by the Chief of the Building Inspection Division.

V. OVERALL DEVELOPMENT STANDARDS AND CRITERIA

A. Access

Access will be provided as shown on the PUD Site Plan via McDuff Avenue. The locations and design of the access points, turn/deceleration lanes, and internal driveways as shown on the PUD Site Plan may vary prior to development; provided, however, that the final design of the access point(s), potential connections, and internal drives shall be subject to the review and approval of Development Services and the Planning and Development Department.

B. Landscaping/Landscaped Buffers

Landscaping, landscape buffers and tree protection shall be provided in accordance with the current Ordinance Code. A 20 foot buffer shall be provided on the eastern property boundary as shown on the site plan.

C. Signage

Signage shall be provided in accordance with the City of Jacksonville Zoning Code.

D. Modifications

Amendment to this approved PUD district may be accomplished through an administrative modification, minor modification, or by filing an application for rezoning as authorized by Section 656.341 of the Zoning Code.

E. Parking and Loading Requirements

Parking will be provided in accordance with Part 6 of the City's Zoning Code, as it may be amended, with the following additional and superseding provisions:

1. There shall be no limit or maximum number of parking spaces for any use within the PUD.
2. Shared parking is permitted to satisfy parking required for multiple uses.

F. Lighting

Lighting shall be designed and installed so as to prevent glare or excessive light on adjacent property.

G. Utilities

The Property is served by JEA.

VI. JUSTIFICATION FOR THE PUD REZONING

The PUD proposes the concept of existing uses with potential for new uses. Many best development and planning practices have been incorporated into the PUD including:

- Internal and external vehicular connectivity;
- Creation of employment opportunities; and
- The inclusion of performance standards for the project that will establish the unique quality, identity and character of the PUD.

Additionally, considering the urban nature of this site, the nature of the proposed development, the configuration and orientation of the proposed development, the maximum heights provided herein, and other factors, are appropriate and compatible with abutting and nearby development.

VII. PUD/DIFFERENCE FROM USUAL APPLICATION OF ZONING CODE

The PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to the PUD Written Description and PUD Site Plan; it includes limitations on uses to ensure compliance with the CGC land use category; it provides for maximum densities/intensities; for each use, it sets forth minimum lot width, maximum lot coverage, minimum yard requirements, and maximum height of structures, which are unique to the urban design and character of this PUD and therefore vary from the otherwise applicable

Zoning Code provisions; it consolidates under Retail/Commercial and Office uses office, medical, retail, and other commercial uses, which are otherwise set forth in multiple, different zoning districts; it includes variations to the accessory use and performance standards provisions which are consistent with the urban, mixed use design of this PUD; and it includes variations from the parking standards otherwise applicable to accommodate the urban design of this PUD, shared parking, and other features of a planned development.

VIII. NAMES OF DEVELOPMENT TEAM

Agent: Curtis Hart, Hart Resources LLC

Planner/Engineer: North Florida Engineering

IX. LAND USE TABLE

A Land Use Table is attached hereto as **Exhibit “F.”** Acreages in Exhibit F are approximate.

X. PUD REVIEW CRITERIA

A. Consistency with the Comprehensive Plan: As described above, the uses proposed herein are consistent with the CGC Suburban Area land use category.

B. Consistency with the Concurrency Management System: The PUD will comply with the Concurrency and Mobility Management System regulations.

C. Allocation of Residential Land Use: The PUD is consistent with land use allocations under the 2045 Comprehensive Plan.

D. Internal Compatibility: The PUD provides for integrated design and compatible uses within the PUD.

E. External Compatibility/Intensity of Development: The PUD proposes uses and provides design mechanisms which are compatible with surrounding uses.

F. Maintenance of Common Areas and Infrastructure: All common areas and infrastructure will be maintained by the owner, maintenance company and/or one or more owners' association(s).

G. Impact on Wetlands: Any development impacting wetlands will be permitted pursuant to local, state, and federal permitting requirements.

H. Listed Species Regulations: The Property is less than fifty (50) acres in size, so a listed species survey is not required.

I. Parking Including Loading and Unloading Areas: The PUD provides ample off street parking.