



Daniel Blanchard	Abstain
Charles Garrison	Aye
David Hacker	Aye
Jack Meeks	Aye
Morgan Roberts	Nay

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis  
City Planner Supervisor – Current Planning Division  
City of Jacksonville - Planning and Development Department  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7820  
blewis@coj.net

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2022-393 TO**  
**PLANNED UNIT DEVELOPMENT**

**JUNE 23, 2022**

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 **2022-393** to Planned Unit Development.

***Location:*** East side of Richard Street between Bowden Road and University Boulevard West

***Real Estate Number(s):*** 153067-0100

***Current Zoning District(s):*** Commercial Community General-1 (CCG-1)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Community General Commercial (CGC)

***Planning District:*** Southeast, District 3

***Applicant/Agent:*** Cyndy Trimmer, Esq.  
DMH and D, PLLC  
One Independent Drive, Suite 1200  
Jacksonville Florida 32202

***Owner:*** Southside Euro, LLC  
5942 Richard Street  
Jacksonville Florida 32216

***Staff Recommendation:*** DENY

**GENERAL INFORMATION**

Application for Planned Unit Development 2022-393 seeks to rezone approximately 1.01 acres of land from Commercial Community General-1 (CCG-1) to PUD. The rezoning to PUD is being sought to allow service garage for minor and major repairs. According to the application all work will be performed indoors. The site is currently undeveloped with large mature trees.

**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.

***(A) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?***

No. When applying the criteria of consistency with the 2030 Comprehensive Plan, the combined factors of the goals, objectives and policies of the plan along with the appropriate Functional Land Use Categories are used. Thus, the fact that the proposed use is allowed in the land use category does not ensure overall consistency with the 2030 Comprehensive Plan. The transition, compatibility, and intensity of uses are accomplished through appropriate zoning and are an important consideration to the welfare and sustainability of an area. Therefore, while the proposed uses are consistent with the category description of the functional land use category, the intensity and scale of the project is **not consistent** with the intent of the 2030 Comprehensive Plan.

***(B) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?***

No. This proposed rezoning to Planned Unit Development are **inconsistent** with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

**Future Land Use Element:**

**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.

The PUD is not providing innovative site planning and smart growth techniques. The applicant is using the PUD to reduce the number of on-site parking space that is required in Part 6 to circumvent the intent of the Zoning Code. **Section 656.340 of the Zoning Code states – “It is not the intent to utilize the Planned Unit Development district solely to diminish the usual application of the provisions of the Zoning Code.”**

**Policy 1.1.16** Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:

1. Creation of like uses;
2. Creation of complementary uses;
3. Enhancement of transportation connections;
4. Use of noise, odor, vibration and visual/ aesthetic controls; and/or

5. Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.

The PUD does not offer any screening noise attenuation or buffering to adjacent uses. The proposed automobile service garage will share a driveway with the adjacent property owner. There is the potential for conflicts if the number of vehicles exceed the 28 spaces proposed in the PUD.

***(C) Does the proposed rezoning conflict with any portion of the City's land use Regulations?***

Yes. The written description and the site plan of the intended plan of development, do not meet all portions of the City's land use regulations. The application is requesting to reduce the number of parking spaces. **Section 656.340 of the Zoning Code states – "It is not the intent to utilize the Planned Unit Development district solely to diminish the usual application of the provisions of the Zoning Code."**

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). The Planning and Development Department finds that the proposed PUD is **inconsistent** with the 2030 Comprehensive Plan, as evaluated in Criteria (B).

***(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 service garage for minor and major repairs. 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. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The use of existing and proposed landscaping: The proposed plan of development indicates that it will comply with the Landscaping Regulations found in Part 12 of the Zoning Code. However, the subject property shares a access drive with the property to the north. This does not allow for the inclusion of landscaping to screen the service bay doors from the adjacent property.
- The treatment of pedestrian ways: The PUD shows a sidewalk along the Richard Street and Cagle Street frontages.
- Traffic and pedestrian circulation patterns: The site has frontage on both Richard Street and Cagle Street and shows access to those public right of ways. The development will share the access drive with the property to the north. Since the proposed service garage is not providing the required amount of parking, there is a concern it will gradually begin to use the parking spaces located on the adjacent property or within the right of way.
- The particular land uses proposed and the conditions and limitations thereon: The written description indicates all work will occur indoors.
- Compatible relationship between land uses in a mixed use project: The proposed site plan indicates the use will be a service garage, the written description lists many permitted and permissible uses typically found in the CCG-1 Zoning District. The PUD also has deleted many of those uses which are inappropriate for the area such as, filling stations, dancing establishments, parcel delivery offices, banks, hotel and motels and alcoholic beverage use.

***(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 **not achieved** by the following:

- The type, number and location of surrounding external uses: As indicated below, the subject property is surrounded by offices, warehouses and multi-family. The garage doors for the proposed automobile service garage will face a one story office building.
- 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	CGC	CCG-1	Office building

<b>South</b>	CGC	CCG-1	Office, showroom
<b>East</b>	HDR	PUD (2019-231)	Multi-family
<b>West</b>	CGC	CCG-2	Office, warehouse

- 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 proposed building and service bay doors will face a one story office building. As the two properties share a drive, there is no option to provide landscaping or other screening of the service bays.

***(6) Intensity of Development***

The proposed development is an allowed use in the Community General Commercial (CGC) land use category, however that does not ensure overall consistency with the 2030 Comprehensive Plan. The PUD is **inappropriate** at this location because the PUD is requesting a large reduction in the number of required on-site parking spaces in relation to the size of the site.

***(7) Usable open spaces plazas, recreation areas.***

Not required for commercial use.

***(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 application indicates the proposed development will have space for 20 vehicles to be stored inside the building and 8 spaces outside for a total of 28 spaces. Section 656.604 (f) Auto repair requires one space per 200 square feet of gross floor area. Based on 9,125 square foot building, the Zoning Code requires 46 spaces. This is a difference of 18 spaces.

The City's Traffic Engineer indicates the parcel will need to meet the requirement for cross access easements per Section 656.115 (f) of the Municipal 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 June 23, 2022, 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 **2022-393** be **DENIED** with the following exhibits:

1. The original legal description dated October 7, 2021.
2. The original written description dated December 7, 2022.
3. The original site plan dated December 1, 2022.



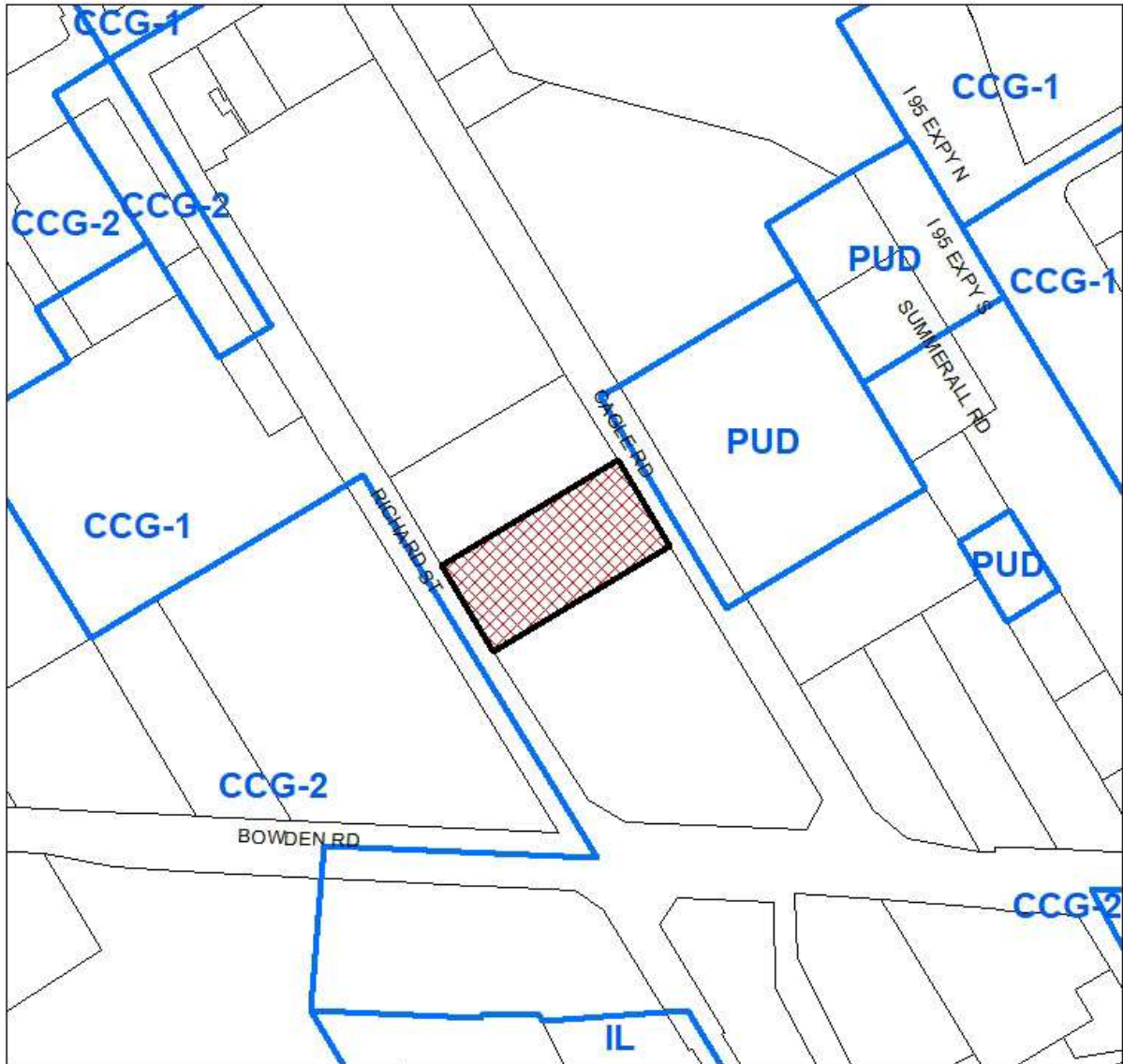


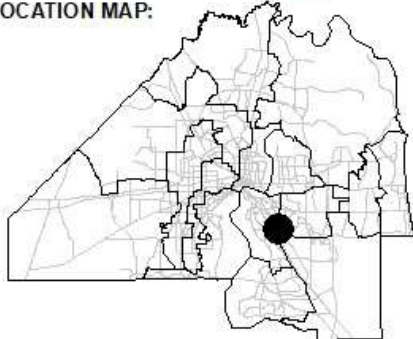
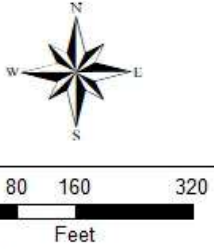
View of adjacent business across Richard Street,



View of subject property and adjacent business





<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>5</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2022-0393</p>	<p><b>T-2021-3827</b></p>	<p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>



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# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

## **TRANSPORTATION REVIEW**

**DATE:** June 13, 2022

**TO:** Bruce Lewis, City Planner Supervisor  
Current Planning Division

**FROM:** Chris Schoenig, City Planner III  
Transportation Planning Division

**SUBJECT:** Transportation Review: PUD 2022-0393

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### **Background Information:**

The subject site is approximately 1.01 acres and will be accessible from Richard Street, a local facility, and north of Bowden Road, a collector facility. Bowden Road is currently operating at 68.64% of capacity. This segment of Bowden Road has a maximum daily capacity of 37,611 vehicles per day (vpd) and average daily traffic of 25,816 vpd.

Per the written description provided, the applicant proposes a maximum 15,000 square feet for an automotive repair shop (ITE Code 942), which could produce 518 daily vehicular trips.

### **Transportation Planning Division comments to be included in staff report:**

This development is subject to mobility fee review and Pursuant to Policies 4.1.2 and 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan.

### **Transportation Planning Division CONDITIONS the following:**

Per conditions set forth in Transportation Memorandum 2022-0393 dated 06/13/2022.



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## **MEMORANDUM**

**DATE:** June 13, 2022

**TO:** Bruce Lewis, City Planner Supervisor  
Current Planning Division

**FROM:** Chris Schoenig, City Planner III  
Transportation Planning Division

**SUBJECT:** Transportation Memorandum 2022-0393

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Upon review of the referenced application and based on the information provided to date, the Transportation Planning Division has the following conditions:

- This site meets the requirements for cross access to the property line to the parcels to the south as defined in City of Jacksonville Code of Ordinances Chapter 654.115(f).