

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-550 TO**  
**PLANNED UNIT DEVELOPMENT**

**SEPTEMBER 5, 2019**

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 **2019-550** to Planned Unit Development.

***Location:*** 1035 Riverside Avenue between Bishopgate Lane and Post Street

***Real Estate Number(s):*** 090146-0000

***Current Zoning District(s):*** Commercial Residential Office (CRO)

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

***Current Land Use Category:*** Residential Professional Institutional (RPI)

***Planning District:*** Urban Core, District 1

***Applicant/Agent:*** Steve Diebenow, Esq.  
One Independent Drive, Suite 1200  
Jacksonville, Florida 32202

***Owner:*** Leonard Setzer  
Blanding Orange Park, LLC  
88650-12 Old Kings Road South  
Jacksonville, Florida 32217

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Planned Unit Development 2019-550 seeks to rezone approximately 0.48 acres of land from Commercial Residential Office (CRO) to PUD. The rezoning to PUD is being sought to move permissible uses by exception in from the CRO Zoning District to permitted uses and remove some restrictions placed on those uses by the Riverside Overlay. The existing one story building was constructed in 1971 and contains 5,520 square feet. It is within the Urban Transition Area (UTA) of the Riverside Avondale Zoning Overlay, but outside of the historic district.

**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?***

Yes. The Planning and Development Department finds that the subject property is located in the Residential Professional Institutional (RPI) 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. The Residential Professional Institutional (RPI) is a category primarily intended to accommodate medium to high density residential, professional office, and institutional uses. Limited commercial retail and service establishments which serve a diverse set of neighborhoods may also be a part of mixed use developments. RPI is generally intended to provide transitional uses between commercial and residential uses, although it may also provide a transition between industrial and residential uses when industrial uses pose no health or safety risks to residents. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Transit-Oriented Developments (TOD), as defined in this element, are encouraged when in close proximity to an existing or planned JTA mass transit system station or Rapid Transit System (RTS). Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein. The proposed PUD will allow for uses in the CRO Zoning District including restaurants with sale and service of all alcoholic beverages. 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.

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

Yes/No. This proposed rezoning to Planned Unit Development is in/consistent 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 intended plan of development combines several requests into one application. The PUD removes the restrictions restaurants, reduces the minimum number of parking spaces and reduce the required landscaping.

***(C) 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:

**The following additional criteria shall be considered by the Planning and Development Department, the Local Planning Agency, and the City Council when evaluating any land use or zoning application within the Riverside/Avondale Zoning Overlay District:**

*(a) Whether the proposed rezoning is consistent with the Riverside/Avondale Zoning Overlay District and the historic district regulations;*

The Department finds the rezoning is substantially consistent with the Overlay. The building is outside the historic district. The PUD differs from the Overlay in the following sections:

- Moves restaurants from permissible use by exception to a permitted use.
- Removes the 60 seat limitation for restaurants.

*(b) Whether the rezoning will negatively affect or alter the character of the character area or corridor;*

The intended plan of development is for the existing building to remain. The one story building is not historic and will not alter the character of the area.

*(c) Whether the rezoning and subsequent future development would result in the destruction of natural resources such as wetlands, protected trees or exceptional specimen trees; and*

The intended plan of development will not destroy protected or specimen trees.

*(d) Whether the rezoning would have a negative affect on any contributing structures within the Riverside Avondale historic district, as defined in Section 656.399.17, historic landmark or landmark site.*

***(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 category as identified in the Future Land Use Map series (FLUMs): Residential Professional Institutional (RPI). The Planning and Development Department finds that the proposed PUD is consistent 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 commercial uses, service establishments and office uses. 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 streetscape: The development will not change the streetscape. This section of Riverside Avenue comprises the neo-classical Garden Club of Jacksonville, the modern River & Post building and Riverside office building.
- Traffic and pedestrian circulation patterns: The existing parking drives will not change and no new accesses are proposed.
- The use and variety of building setback lines, separations, and buffering: The written description shows a twenty foot front setback, which is similar to the adjacent building. This will maintain streetscape compatibility.
- The use and variety of building groupings: The existing building will be repurposed for a restaurant, no other buildings are proposed.
- The use and variety of building sizes and architectural styles: The building is a one story in a simple modern style. There are similar modern buildings in close proximity.

***(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: There is a restaurant across Riverside Avenue. Also there are offices to the south and west. The proposed restaurant will not create any adverse impact to the surrounding uses and may offer an alternative dining experience for offices in the area.
- The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	RPI	CRO	Garden Club of Jacksonville
<b>South</b>	RPI	CRO	Medical offices
<b>East</b>	RPI	CRO	Commercial use
	RPI	PUD (16-790)	Multi-family dwellings
<b>West</b>	RPI	CRO	Medical office
	RPI	PUD (17-10)	Restaurant, offices

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

The proposed development is consistent with the Residential Professional Institutional (RPI) functional land use category as a restaurant. The PUD is appropriate at this location because it will allow another dining experience for the offices in the area.

- The existing residential density and intensity of use of surrounding lands: There are few single family residences in the immediate area. Multi-family is the predominate residential use. The majority of the buildings are for office use.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The parcel has frontage on Riverside Avenue which is a minor arterial roadway.

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

The project will be developed with the required amount of open space. No recreation area is required.

***(8) Impact on wetlands***

There are no wetlands on the parcel.

***(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.***

There is a parking area with 33 parking spaces. The intended plan of development is the existing parking will be sufficient for any use. A 150 seat restaurant will require a minimum of 38 spaces not counting employees. The area does not meet the landscaping requirements of Part 12 and the written description indicates it will not be brought into compliance.

***(11) Sidewalks, trails, and bikeways***

There is an existing sidewalk along Riverside Avenue and Bishop Gate Lane. The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on August 23, 2019, the required Notice of Public Hearing sign was posted.

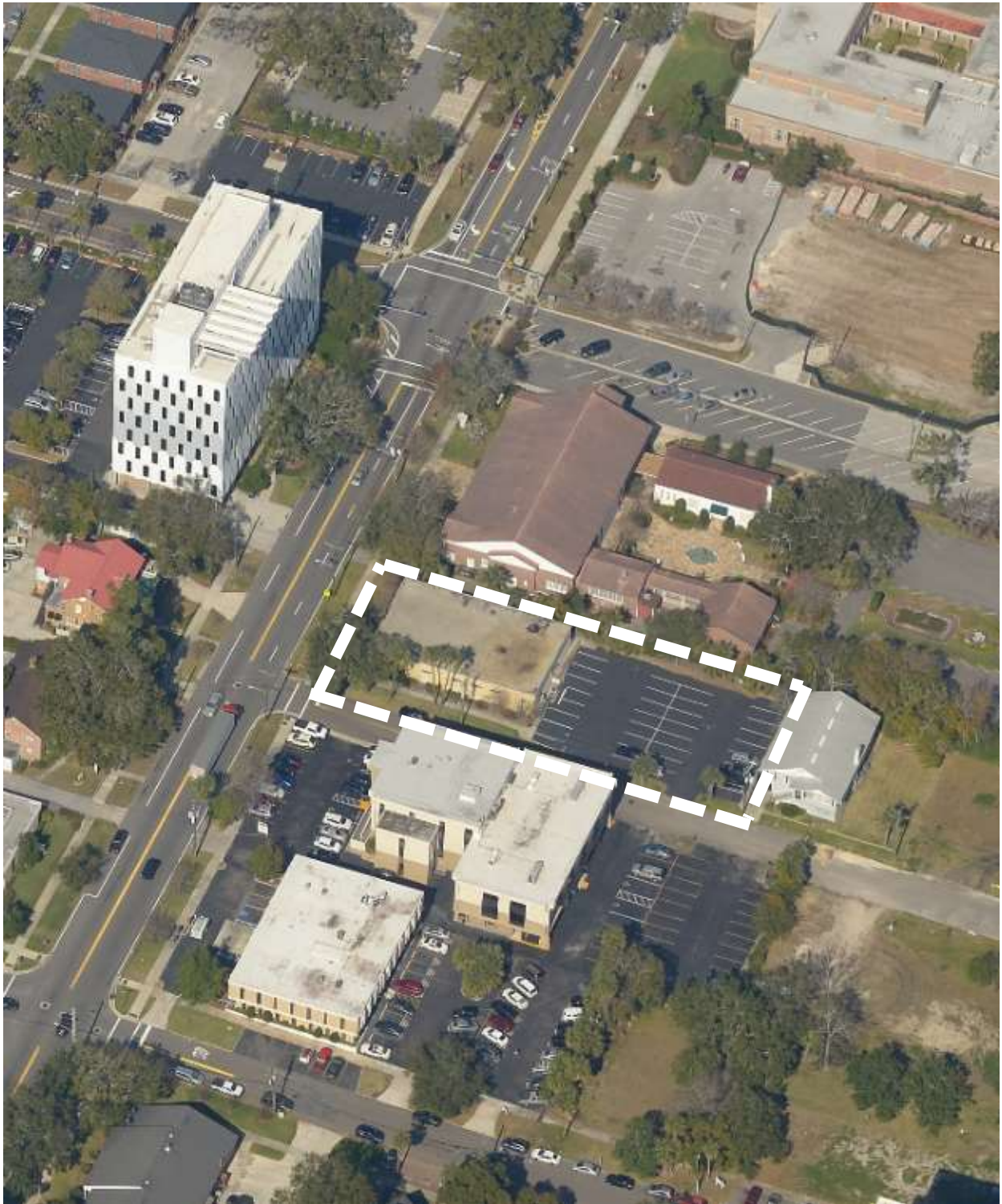


**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2019-550 be **APPROVED with the following exhibits:**

1. The original legal description dated June 17, 2019.
2. The original written description dated July 11, 2019.
3. The original site plan dated December 13, 2018.





Aerial view of subject property.





Front of existing building



Bishopgate Lane





View of rear of building

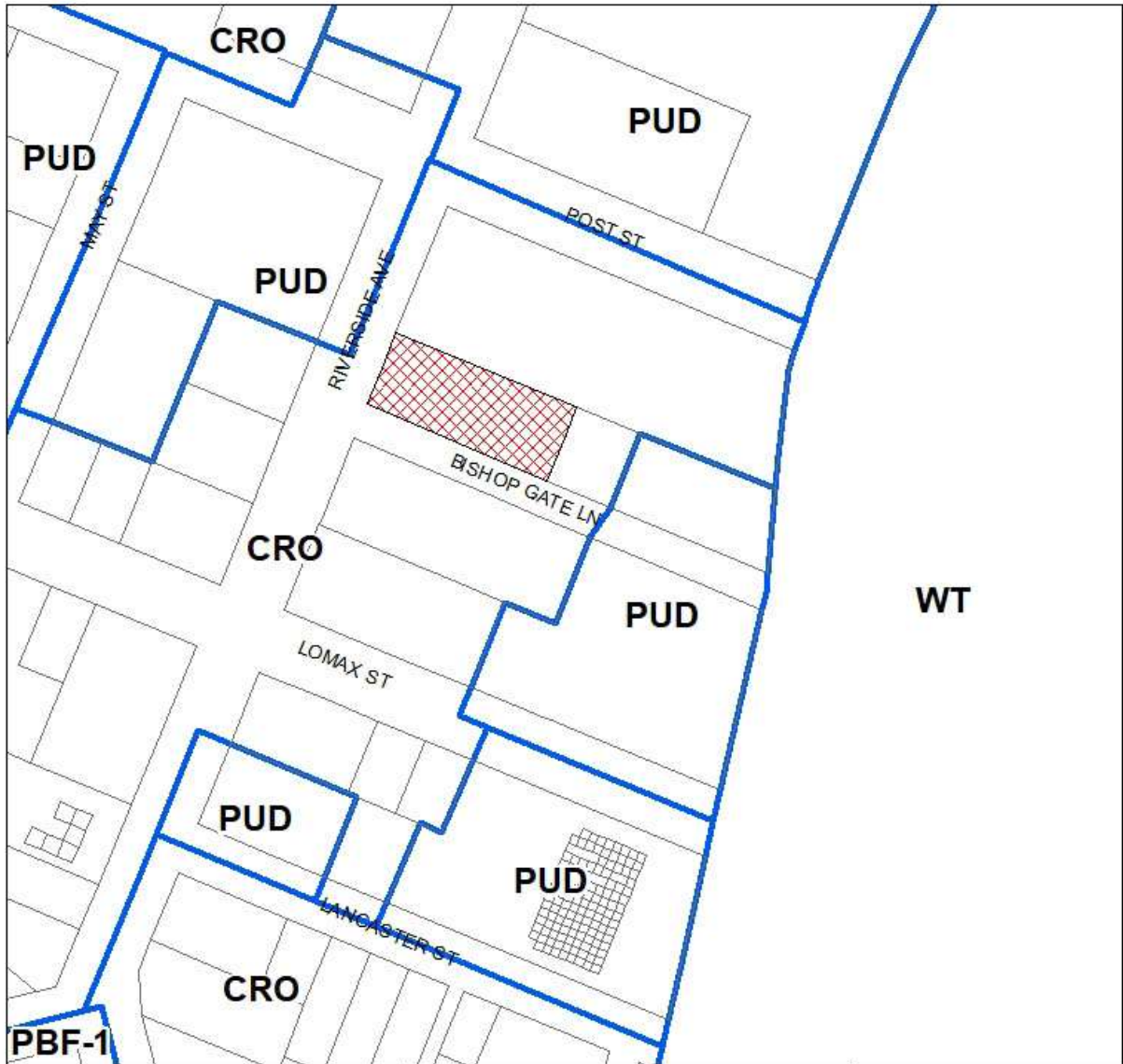


View of building across street from subject property



View of multi-family dwellings under construction





<p>REQUEST SOUGHT:</p> <p>FROM: CRO</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>	<p>COUNCIL DISTRICT:</p> <p><b>14</b></p>
<p>ORDINANCE NUMBER</p> <p><b>ORD-2019-0550</b></p>	<p>TRACKING NUMBER</p> <p><b>T-2019-2425</b></p>	<p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>