

APPLICATION FOR REZONING TO PUD

Bosco Enterprises, LLC

Tracking #5091

WRITTEN DESCRIPTION

November 3, 2023

I. PROJECT DESCRIPTION

- A. Number of acres, location of site, existing use, surrounding uses, types of businesses, proposed uses.

The property subject to this PUD is located at 2152 and 2156 Mayport Road (RE#'s 169410 0000 & 169410 0010) (the "Property"). The Property falls within the CGC and MDR land use category, the Suburban Development Area, and is zoned PUD pursuant to Ordinance 2018-617-E.

The properties to the north, east, south and west are as follows:

<u>DIRECTION</u>	<u>LAND USE</u>	<u>ZONING</u>	<u>EXISTING USE</u>
North	CGC	CCG-2	Commercial Property
South	MDR/CGC	RMD-D/CCG-2	Apartments
East	N/A	N/A	Mayport Road
West	MDR	PUD (2014-18)	Single-family dwellings

The property was previously occupied by a commercial building but has been vacant for over a year. After successfully purchasing the property, which had been condemned by the City of Jacksonville, Bosco Enterprises seeks to rezone the property from PUD to PUD to permit on-site alcohol sales and service while omitting commercially intensive uses otherwise permitted within the CCG-2 zoning district. This PUD also permits multi-family dwellings on the residentially designated portion of the Property.

- B. Project Name: 2152-2156 Mayport Rd PUD
- C. Current Land Use Designation: CGC/MDR
- D. Current Zoning District: PUD 2018-617-E

E. Requested Zoning District: PUD

F. Real Estate Numbers: 169410 0000 – 169410 0010

II. QUANTITATIVE DATA

A. Total acreage: 1.56 acres

B. Maximum number of dwelling units: Fourteen (14) units in the MDR portion of the Property.

C. Total amount of non-residential floor area: .09 acres

D. Total amount of land coverage of all buildings and structures: Fifteen thousand (15,000) square feet

III. STATEMENTS

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

This PUD permits on-site sales and service of alcohol and while omitting commercially intensive uses otherwise permitted in the CCG-2 zoning district. This PUD adopts the restaurant parking requirements for the proposed bar/brew pub within the commercial facility fronting Mayport Road. Uncomplimentary buffers and screening between internal uses within the PUD are not required.

B. The continued operation and maintenance of the areas and functions described herein and facilities which are not to be provided, operated or maintained by the City will be the sole responsibility of the owner of the property.

IV. USES

A. MDR Land

(1) Permitted Uses and Structures

a. Multi-family residential dwellings, including townhomes.

b. Home occupations meeting Part 4.

(2) Permitted Accessory Uses and Structures: As permitted in Section 656.403 and Section 656.306(II)(b) of the Zoning Code.

B. CGC Land

(1) Permitted uses and structures

- a. Commercial Retail Sales and Service Establishments
- b. An establishment or facility which includes the retail sale and service of beer, wine or liquor for on- or off-premises consumption; provided, however, that the primary use may not be a liquor store.
- c. Professional and business offices, building trades contractors that do not require outside storage or the use of heavy construction equipment and similar uses
- d. Art galleries, museums, community centers, dance, art or music studios.

(2) Permitted Accessory Uses and Structures: See Section 656.403.

(3) Uses Permissible by Exception

- (1) Multi-family residential dwellings
- (2) Manual car wash facilities
- (3) Schools meeting the performance standards and development criteria set forth in Part 4.

V. DESIGN GUIDELINES

A. Lot Requirements:

(1) MDR Land:

- a. Minimum lot area: None
- b. Minimum lot width: None
- c. Maximum lot coverage: None
- d. Minimum front yard: None
- e. Minimum side yard: None

- f. Minimum rear yard: None
- g. Maximum height of structures: Thirty-five (35) feet

(2) CGC Land:

- a. Minimum lot area: None
- b. Minimum lot width: One hundred seventy-five (175) feet
- c. Maximum lot coverage: None
- d. Minimum front yard: None
- e. Minimum side yard: Twenty (20) feet
- f. Minimum rear yard: Ten (10) feet
- g. Maximum height of structures: Thirty-five (35) feet

B. Ingress, Egress and Circulation:

(1) Parking Requirements: Minimum parking for restaurants, bars, and brewpubs shall be one (1) space for each four (4) patron seats plus one (1) space for each two (2) employees on a peak hour shift. All other uses shall be consistent with Part 6 of the Zoning Code.

(2) Vehicular Access:

- a. Vehicular access to the Property shall be by way of Mayport Road, substantially as shown in the Site Plan.
- b. Within the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one (1) person or entity.

(3) Pedestrian Access. Pedestrian access shall be provided by sidewalks installed in accordance with the 2045 Comprehensive Plan.

C. Signs: Signs shall be regulated as set forth within Section 656, Part 13 and the Mayport Road Zoning Overlay, which provides the following:

- (1) Maximum signage allowed on site shall not exceed one (1) square foot for each linear foot of right-of-way frontage.
 - (2) Monument signs shall not exceed ninety-six (96) square feet and shall be not closer than one hundred fifty (150) feet apart.
 - (3) Wall signs shall not exceed ten percent (10%) of total area of the facade or three hundred (300) square feet, whichever is less.
 - (4) Maximum height of all monument signs shall not exceed eight (8) feet height above the nearest public walkway.
 - (5) Signs shall be constructed of a solid material such as wood, masonry or high-density urethane.
 - (6) The following types of signs are prohibited: animated signs, automatic changing message devices except for signs depicting time and temperature, mobile signs, beacons or tracker lights or similar lighting components, mirror like or reflective materials, obscene signs, pennants, ribbons, streamers and similar elements.
 - (7) Lawfully existing signage at the time of the effective date of these regulations shall be permitted for ten years. After ten (10) years from the effective date of these regulations, all signage shall meet the requirements herein.
- D. Landscaping: The Property shall be developed in accordance with Part 12 of the Zoning Code and the Mayport Zoning Overlay, as provided and modified below:
- (1) An average ten (10) foot wide perimeter landscape buffer shall be required along the entire parcel frontage of Mayport Road.
 - (2) Where a building fronts Mayport Road a six (6) foot wide landscape planning area shall be maintained between the building and the parking area or any walkway.
 - (3) All landscape materials shall be drought tolerant and heat resistant, as so identified in any publication issued by the State of Florida or its agencies
 - (4) Unhealthy or dead landscape materials, including sod and ground covers shall be replaced within 30 days of written notification from the City to the property owner.
 - (5) Stormwater retention or detention facilities may be placed within required buffers, provided that required landscape materials are provided.

- (6) Lawfully existing landscaping at the time of the effective date of these regulations shall be permitted for ten years. After ten years from the effective date of these regulations, all landscaping shall meet the requirements herein.
- (7) Notwithstanding the above, uncomplimentary land use buffers and screening for the internal uses within this PUD shall not be required.
- E. Recreation and open space will not be provided onsite considering numerous recreational opportunities and amenities are currently available within a one-half (0.5) mile radius.
- F. Utilities:
 - (1) Water will be provided by the City of Atlantic Beach.
 - (2) Sanitary sewer will be provided by the City of Atlantic Beach.
 - (3) Electric will be provided by JEA.
- G. Wetlands: The Property does not affect wetlands. Any such development which would impact wetlands will be permitted in accordance with local, state and federal requirements.

VI. DEVELOPMENT PLAN APPROVAL

With each request for verification of substantial compliance with the PUD, a preliminary development plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all proposed uses within the Property, and showing the general layout of the overall Property.

VII. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

The proposed project allows for commercial and residential redevelopment of the existing site while eliminating uses that are of concern to the surrounding neighbors. The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community in that:

- A. The project is more efficient than would be possible through strict application of the zoning code;
- B. The project is compatible with surrounding land uses and will improve the characteristics of the surrounding area;

C. The project will promote the purposes of the 2045 Comprehensive Plan as follows:

(1) The Project furthers the following goals, objectives and policies of the Future Land Use element of the 2045 Comprehensive Plan:

- a. 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.
- b. 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.
- c. Policy 1.1.9. Promote the use of Planned Unit Developments (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:
 - i. Potential for the development of blighting or other negative influences on abutting properties
 - ii. Traffic impacts
 - iii. Site Access
 - iv. Transition of densities and comparison of percentage increase in density above average density of abutting developed properties
 - v. Configuration and orientation of the property
 - vi. Natural or man-made buffers and boundaries
 - vii. Height of development
 - viii. Bulk and scale of development
 - ix. Building orientation
 - x. Site layout
 - xi. Parking layout
 - xii. Opportunities for physical activity, active living, social connection, and access to healthy food.