



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 322-2  
(904) 630-CITY  
www.coj.net

December 7, 2023

The Honorable Ronald B. Salem, Pharm. D., President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report**  
**Ordinance No.: 2023-789**                      **Application for: North Main Street PUD**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

This rezoning is subject to the following exhibits:

1. The original legal description dated July 6, 2023.
2. The revised written description dated December 1, 2023.
3. The original site plan dated May 10, 2023.

Recommended Planning Commission Conditions to the Ordinance: **None**

Recommended Planning Commission Conditions that can be incorporated into the Written Description: **None**

Planning Commission Commentary:     There were no speakers in opposition and little discussion among the Commissioners. The agent indicated they have worked with SPAR and have their support.

Planning Commission Vote:	7-0
Charles Garrison, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mark McGowan, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Julius Harden	Aye
Mon'e Holder	Aye
Ali Marar	Absent
Jack Meeks	Absent

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 2023-0789 TO**  
**PLANNED UNIT DEVELOPMENT**

**DECEMBER 7, 2023**

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 **2023-0789** to Planned Unit Development.

***Location:*** 1839 Main Street North,  
Between East 8<sup>th</sup> Street and East 9<sup>th</sup> Street

***Real Estate Number(s):*** 071815-0005

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

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

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

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

***Applicant/Agent:*** Cyndy Trimmer, Esq.  
Driver, McAfee, Hawthorne & Diebenow,  
PLLC  
One Independent Drive, Suite 1200  
Jacksonville, Florida 32202

***Owner:*** Up-Side Management Company  
324 East 3<sup>rd</sup> Street  
Jacksonville, Florida 32206

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

**GENERAL INFORMATION**

Application for Planned Unit Development **2023-0789** seeks to rezone approximately 1.19± acres of land from Commercial Community/General-S (CCG-S) to PUD. This rezoning to a PUD is being sought in order to permit for an open-air food hall with the sale and service of all alcoholic beverages for on-premises and/or off-premises consumption. The subject property is currently vacant. The property is located within the Springfield Zoning Overlay but is not included in the Springfield Historic District.

The property was previously used as an automobile service garage. The proposed PUD would permit for the on-premises and off-premises consumption of alcoholic beverages by right, permit outside sales and service of food and alcoholic beverages by right, waive liquor distance requirements between the property and a church or school, and prohibit specific uses typically permitted in the CCG-S zoning district by right or with an exception. The PUD is also being utilized to seek relief from landscaping requirements, given the existing configuration of the property and structure and its location.

This PUD is requesting to waive the minimum distance for a liquor license. As the property is less than 1,500 feet from churches and schools in the Springfield neighborhood, requesting the distance to be waived will not require the owner to submit for a Waiver of Liquor Distance (WLD) application. There are already other establishments in the area that allow for alcohol services and consumption.

### **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 2045 Comprehensive Plan?***

Yes. The 1.19-acre site is located along the east side of Main Street North, a principal arterial road, between East 8th Street, a minor arterial road, and East 9th Street, a local road. The subject site is in the Community / General Commercial (CGC) land use category, in the Urban Priority Development Area, in Planning District 1, and Council District 7.

Community/General Commercial (CGC) in the Urban Priority Area is intended to provide compact development which should generally be developed in nodal and corridor development patterns while promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment. Development that includes residential uses is preferred to provide support for commercial and other uses. Vertical integration of a mix of uses is encouraged.

The proposed uses in the PUD are consistent with the CGC land use category.

#### ***(B) Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?***

Yes. This proposed rezoning to Planned Unit Development is consistent with the 2045 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

**Future Land Use Element:**

**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.

**Goal 3**

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

**Objective 3.2**

Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

**Downtown Brownfield Pilot Area**

The property is located within the Downtown Brownfield Pilot Area. The City of Jacksonville designated properties in the downtown area as a Pilot Program Brownfield Area by City Council Resolution Number 2000-125-A. The property owner may request that the property be designated a Brownfield Site. A Brownfield Site is property where the expansion, redevelopment, or reuse of the property may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Tax credits may be available for properties designated as a Brownfield Site.

**Neighborhood Action Plan**

The subject site is located within the boundaries of the 1977 Springfield Neighborhood Plan. The Springfield Neighborhood Plan was implemented over forty-five years ago and has since been replaced by the Springfield Zoning Overlay, which was implemented in 1998 and covers the boundaries of the Springfield Historic District, which was established in 1992. The subject site is located outside the boundaries of the overlay and is, therefore, not subject to the provisions of the Springfield Zoning Overlay or the Springfield Historic District.

***(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 Springfield Zoning Overlay and Historic District:**

The subject property is located outside the boundaries of the Springfield Historic District and therefore the Historic Preservation Section has no objections to the proposed rezoning.

The applicants have worked with Springfield Preservation and Revitalization (SPAR) and received feedback on this proposed PUD.

***(1) Consistency with the 2045 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): Community/ General Commercial (CGC). Nonetheless, Staff finds the proposed rezoning to Planned Unit Development is consistent with the 2045 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, as previously 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.

Currently, there is nothing in the Concurrency system in regard to this proposed development.

The agent/owner will need to submit a Mobility application & a CRC application to the Concurrency Office. Email [CMMSO@coj.net](mailto:CMMSO@coj.net) for review/fee assessment/approval.

***(3) Allocation of residential land use***

This proposed Planned Unit Development intends to utilize lands for commercial uses. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis for 2045 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

The written description does request new multi-family structures and live-work lofts meeting Section 656.369 as permissible uses by exception.

***(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 written description states that landscaping shall be provided in accordance with Part 12 of the Zoning Code; however, the written description does seek relief from certain landscaping requirements as listed below:

- Perimeter landscaping around vehicle use areas shall be a minimum of three feet on average for each linear foot of vehicle use area frontage along a public right-of-way, exclusive of driveways.
  - This requirement may also be met by locating perimeter landscaping along non-vehicle use areas so long as the total provided perimeter landscaping meets the three feet on average requirement herein.
- Fencing up to six in feet in height may be used along front yards at Main Street and 8th Street and eight feet along the alley and back of house side yards.

**Traffic and pedestrian circulation patterns:** As shown on the site plan, there will be a check-in entrance off Main Street North. This appears to be the only pedestrian/customer entrance and exit point. Additionally, the site plan has an access gate that will exit into an alleyway that leads to 8<sup>th</sup> Street East. Also, along 8<sup>th</sup> Street East, is a service entry for vehicle loading and unloading. There is no parking on the subject property, so vehicle traffic should not be an issue.

**The treatment of pedestrian ways:** Pursuant to the 2045 Comprehensive Plan, the proposed development will provide pedestrian access as regulated by the city.

**The use and variety of building sizes:** Per the written description the building width may be below seventy percent of the lot width. The written description states the reason for this due to the project contemplating open-air facilities. As this proposed PUD is intended for an open-air food hall, it is not anticipated that building height will vary. The PUD proposed a maximum height of forty-five feet for all structures, while the site plan shows a maximum height of thirty-five feet.

#### ***(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:

**Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon:** The subject property is located near residential properties. Springfield Preservation and Revitalization (SPAR) and the applicant worked together to set limits not to disrupt the residential neighborhoods. For example, the written description includes that audio amplification, stage lights and other illumination throughout the property are permitted but must be designed and installed to minimize unreasonable interference or impact in nearby residential properties such as audio amplification and lights are directed into the site and away from any neighboring residential development.

**The type, number, and location of surrounding external uses:** The subject site is located along Main Street North with an ingress/egress along 8<sup>th</sup> Street East. There are several commercial properties located along Main Street North such as restaurants, retail stores, offices, etc. The

intersection of Main Street North and 8<sup>th</sup> Street and only block south to 7<sup>th</sup> Street East is a large commercial node with a mix of uses and mid-rise commercial uses.

**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 Property Use</b>
North	CGC	CCG-S	Restaurant/Fast Food
South	CGC	PUD 1985-1217	Ice Cream Shop
East	CGC	CCG-S	Parking Lot
West	RPI	CRO-S/PUD 2001-0778	Church, Parking Lot, Office

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

The proposed development will be consistent with the proposed Community/General Commercial (CGC) functional land use category. The PUD is appropriate at this location because it will allow for a mixture of restaurant and other commercial uses.

**The availability and location of utility services and public facilities and services:** The subject site will be serviced by JEA for city water, city sewer, and gas as this is a requirement for the project.

**The existing residential density and intensity of use of surrounding lands:** Most of the surrounding area along Main Street North consists of offices, commercial retail, and restaurants. There are several single-family dwellings and multi-family dwellings on the same block, farther east of the subject site and even more dwellings one block over from Main Street North on the east and west side.

**The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:** The subject site is approximately 1.19 acres and is accessible by Main St North (US 1), a FDOT principle arterial. Main St North between 8th St and 20th St is currently operating at 32.6% of capacity. This segment currently has a maximum daily capacity of 36,100 vehicles per day (vpd) and average daily traffic of 11,781 vpd.

The applicant requests 52,000 square feet of commercial space (ITE Code 821), which could produce 2,107 daily trips.

This development is subject to mobility fee review and Pursuant to Policies 4.1.4, 4.1.5, and 4.1.8 of the Transportation Element of the 2045 Comprehensive Plan.

The City Traffic Engineer also reviewed the application and had no comments or objections to the PUD.

**Any other factor deemed relevant to the limitation of the intensity if the development for the**



**benefit of the public health, welfare and safety:** The written description states that the outside sales and service may not occur later than 10:00PM on Mondays, Tuesdays, and Wednesdays, 12:00AM on Thursdays, Fridays, and Saturdays, and 9:00PM on Sundays.

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

Recreation and open space shall be provided as required by the 2045 Comprehensive Plan. The applicant states that open space will be in compliance with the 2045 Comprehensive Plan as shown on the site plan attached.

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

There are no wetlands on the subject property.

***(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.***

Per the written description, parking will be provided pursuant to the Springfield Zoning Overlay. The Springfield Overlay does not require parking for commercial uses in contributing structures. There are special parking standards that state the number of parking spaces provided shall not exceed the minimum number of parking spaces required under Part 6 of the Zoning Code. Also, on-site, or off-site parking areas are allowed within 30 feet of a street right-of-way if a wall is provided parallel to the right-of-way. There is on-street parking along Main Street North. Additionally, the site plan shows an entrance on 8<sup>th</sup> Street East for service vehicles for loading and unloading.

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

The project shall contain a pedestrian system that meets the 2045 Comprehensive Plan.

### SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on **November 15, 2023**, the required Notice of Public Hearing signs were posted.

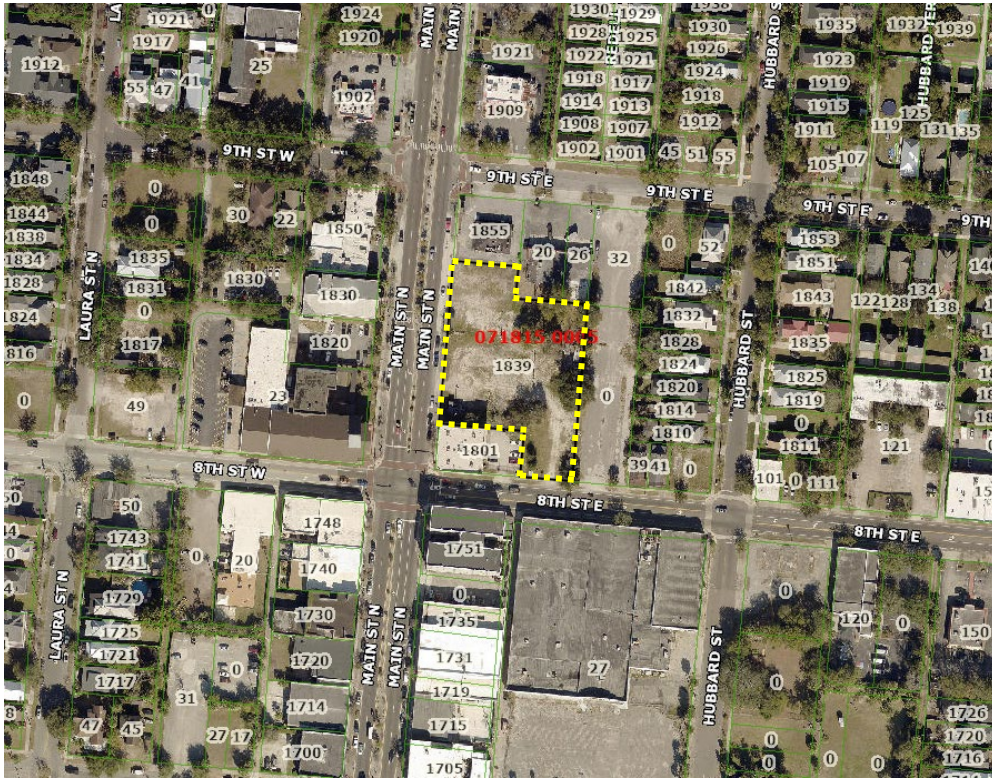


### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0789** be **APPROVED with the following exhibits:**

1. **The original legal description dated July 6, 2023.**
2. **The revised written description dated November 13, 2023.**
3. **The original site plan dated May 10, 2023.**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2023-0789** be **APPROVED.**



**Aerial view of the subject property, facing north.**



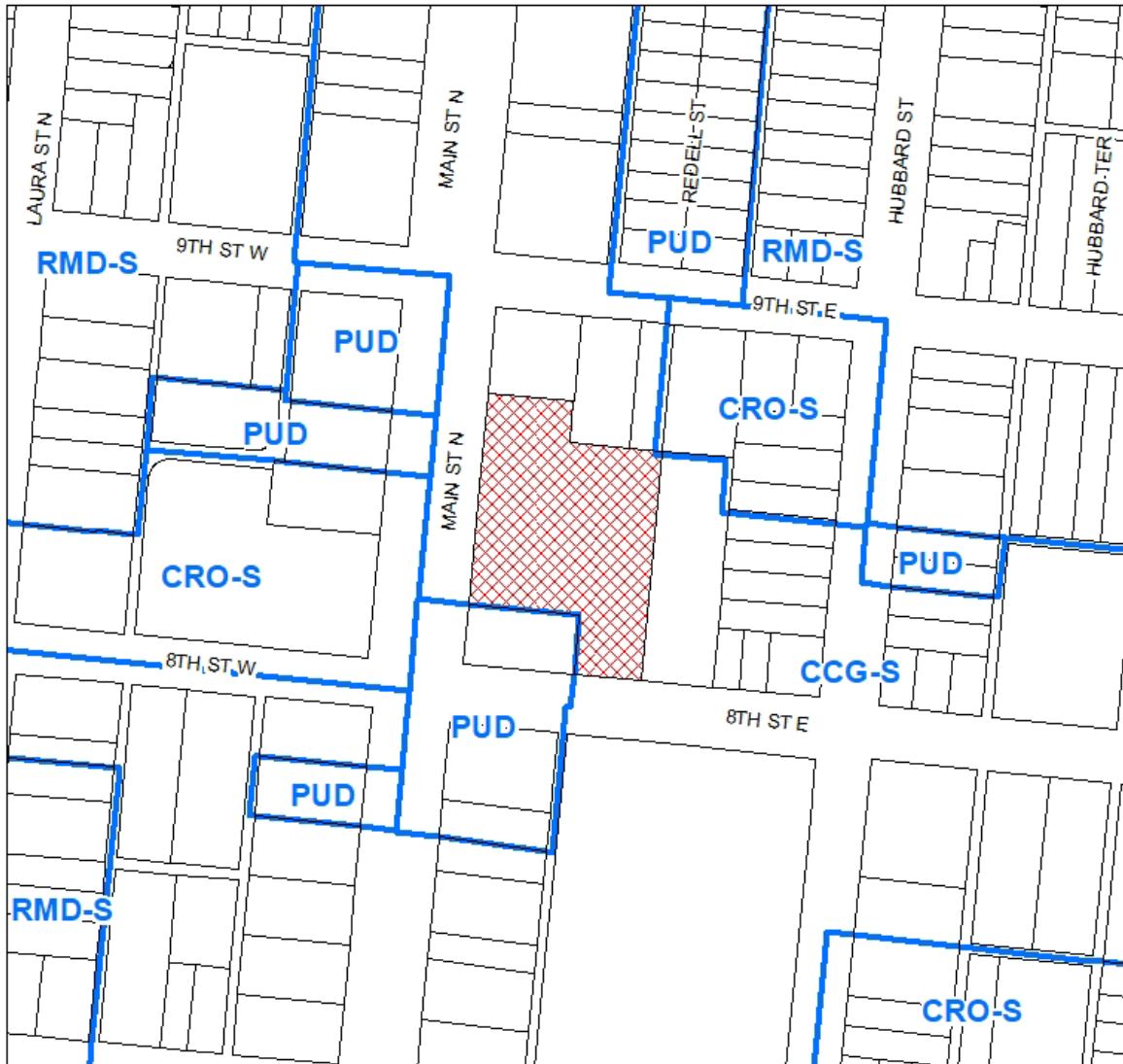
**View of subject property from Main Street North.**

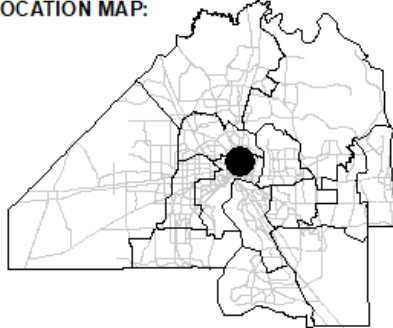



**View of subject property from Main Street North.**



**View of subject property from Main Street North.**



<p>REQUEST SOUGHT:</p> <p><b>FROM: CCG-S</b></p> <p><b>TO: PUD</b></p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER</p> <p><b>T-2023-5052</b></p>	 <p>0 65 130 260</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p><b>7</b></p> <p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>
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Legal Map