

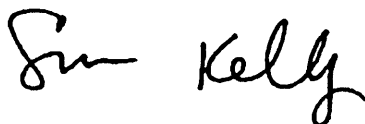
Downtown Development Review Board Commentary: Several speakers spoke in opposition to the proposed PUD. Speakers were primarily residents and business owners of the Southbank and San Marco neighborhoods. Reasons for their opposition included: the PUD zoning district and the proposed personal property self-storage use as being incompatible with the Southbank District of the Downtown Overlay; traffic concerns for the intersection of Hendricks Avenue and Prudential Drive; the lack of street activation stemming from the self-storage use; and the lack of trip origins and destinations for pedestrians and cyclists. Aside from members of the development team, no members of the public spoke in support of the proposed PUD rezoning.

Downtown Development Review Board Vote: 6-2

Matt Brockelman, Chair	Nay
Linzee Ott, Vice Chair	Nay
Gary Monahan, Secretary	Aye
Craig Davisson	Aye
Christian Harden	Absent
Fred Jones	Aye
Trevor Lee	Aye
Joseph Loretta	Aye
William Schilling	Aye

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

Sincerely,



Susan Kelly
Redevelopment Coordinator
City of Jacksonville – Downtown Investment Authority
117 West Duval Street, Suite 310
Jacksonville, FL 32202
(904) 255-5307
ksusan@coj.net

REQUEST FOR REZONING - ORDINANCE 2023-007

STAFF REPORT

February 9, 2023

The Downtown Investment Authority hereby forwards to the Downtown Development Review Board, Land Use and Zoning Committee, and City Council its report and recommendation regarding Application for Rezoning Ordinance **2023-007** to Planned Unit Development.

Project Name: Southbank Mixed-Use PUD

Location: 1004 Hendricks Avenue, at the southwest corner of Prudential Drive and Hendricks Avenue

Real Estate Number(s): 080289-0000; 080290-0000; 080288-0000; and 080297-0000

Downtown Overlay District: Southbank District

Current Zoning District: Commercial Central Business District (CCBD)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Central Business District (CBD)

Planning District: Urban Core, District 1

Applicant/Agent: Steve Diebenow, Esq.
Driver, McAfee, Hawthorne and Diebenow, PLLC
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: G.I.S. Holdings, Inc.
570 Jacksonville Drive
Jacksonville Beach, FL 32250

A. Walter Hirshberg Family Trust
1994 River Road
Jacksonville, FL 32207

Karen R. Hirshberg Living Trust
1994 River Road
Jacksonville, FL 32207

Karen Hirshberg
1994 River Road
Jacksonville, FL 32207

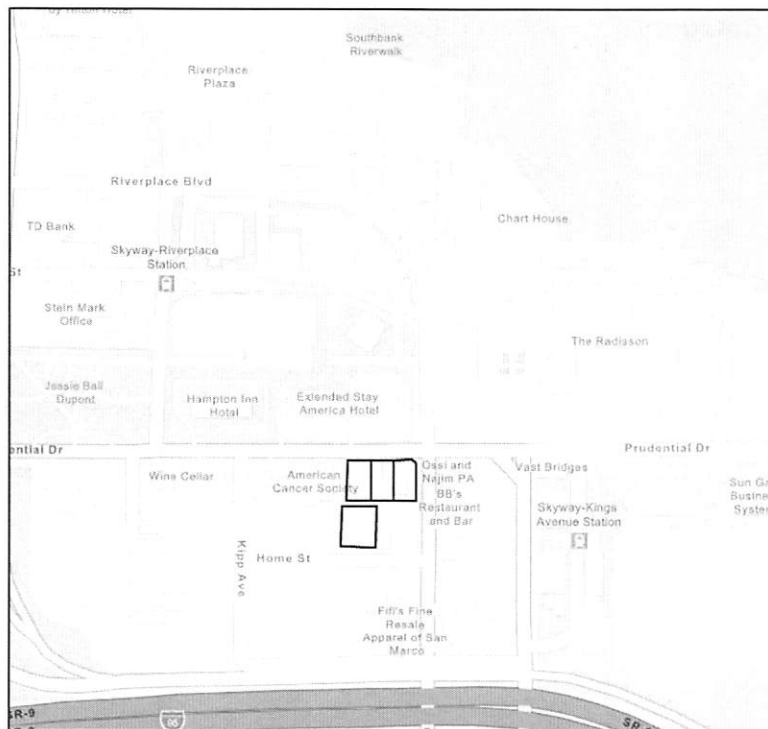
Staff Recommendation: **DENY**

GENERAL INFORMATION

Application for Planned Unit Development 2023-007 seeks to rezone approximately 1.01 acres of land from Commercial Central Business District (CCBD) to Planned Unit Development (PUD). The subject site consists of four (4) parcels. The parcels are within the Downtown Overlay Zone, Subpart H of Chapter 656, and as such, development is subject to the Downtown District Use and Form Regulations.

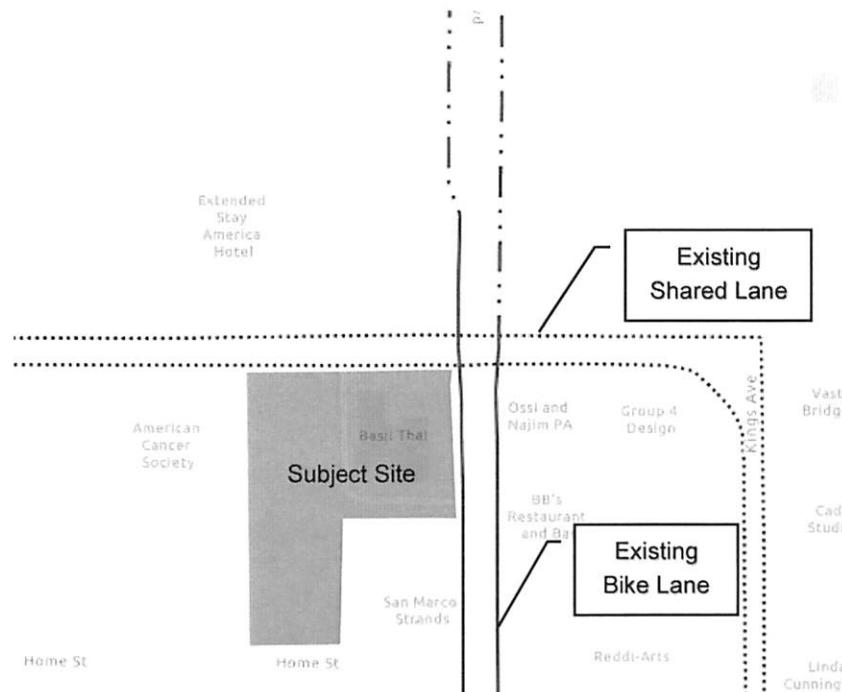
The rezoning to PUD is being sought to allow for a mixed-use structure with ground floor retail, office, restaurant, or other commercial programming with personal property self-storage uses on the second through fifth floor. Approximately 16,042 square feet of retail space; 149,033 square feet of personal property self-storage; and 16,730 square feet of covered drives and parking are planned for the proposed development.

The subject site is located at the southwest corner of Hendricks Avenue and Prudential Drive. The site abuts office and retail development. Offices and restaurants are located across Hendricks Avenue from the subject site, and hotels are located across Prudential Drive from the subject site. The intersection of Prudential Drive and Hendricks Avenue is a major commercial node as it establishes a change in character from mid-rise office and commercial uses to high-rise, hospitality-driven uses that address, or cater to, the Southbank Riverwalk, which is less than 1,000 feet from the subject site.



Location Map

Across Prudential Drive, Hendricks Avenue becomes Riverplace Boulevard. The intersection of Hendricks/Riverplace with Prudential is a significant cycling node according to the City's On-street Bikeways and Trails Network. Bike lanes and shared lanes are provided on both sides of each roadway at this location, as shown on the map below.



Hendricks Avenue/Riverplace and Prudential Drive intersection, On-street Bikeways and Trails Network

REVIEW

The Downtown Investment Authority's vision for Downtown, as stated in the recently adopted Business Investment and Development (BID) Plan (Ordinance 2022-0372-E), is that Downtown Jacksonville is a dynamic, resilient, people friendly, urban center that capitalizes on the importance of the River and is the premier center for business, sports and entertainment, culture, and urban living in the heart of the Southeastern U.S.

The evaluation in this staff report shows that the proposed rezoning from CCBD to PUD conflicts with the City's Land Use Regulations; does not further the goals, objectives, and policies of the Comprehensive Plan or BID Plan; and is not aligned with the spirit and intent of the Zoning Code. Furthermore, the proposed zoning district would constitute spot zoning and would also deviate from the established and intended development pattern for the Southbank District of Downtown.

While the ground floor retail/restaurant use is a welcome addition at this location, the proposed use of personal property self-storage poses a significant obstacle to Downtown's continued growth and revitalization as that use lacks the intensity and density needed for this location to achieve the vision of a dynamic, populated, urban center.

Section 656.125(b) – Limitations on rezoning of land

Per Section 656.125(b), an applicant for a proposed rezoning is required to prove by substantial, competent evidence that the proposed rezoning:

- (1) Is consistent with the Comprehensive Plan;
- (2) Furthers the goals, objectives and policies of the Comprehensive Plan; and
- (3) Is not in conflict with any portion of the City's Land Use Regulations.

If the applicant proves the proposed rezoning complies with this criterion, the City Council shall grant the rezoning request unless they determine that there is substantial, competent evidence that maintaining the current zoning district accomplishes a "legitimate public purpose." This is defined in Section 656.125(c) and includes that the proposed rezoning not constitute "spot zoning" and the uses permitted under the proposed rezoning not be inconsistent and incompatible with the existing and proposed land uses and zoning of adjacent and nearby properties or the general area, or deviate from an established or developing logical and orderly development pattern.

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Downtown Investment Authority, Downtown Development Review Board (serving as Planning Commission) and City Council (including the appropriate committee) shall evaluate and consider the following criteria for review of an application for rezoning to Planned Unit Development.

(1) Is consistent with the Comprehensive Plan

- Finding: Staff finds that the subject property is located in the Central Business District (CBD) functional land use category as defined by the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) adopted as part of the *2030 Comprehensive Plan*. The CBD category is a mixed-use category that is coterminous with the DIA jurisdictional boundaries. PUD zoning districts are permitted as secondary zoning districts in the CBD category, and as such, the request for a proposed rezoning to a PUD is allowed within the CBD land use category.

(2) Furthers the goals, objectives and policies of the Comprehensive Plan?

- Finding: The proposed rezoning to Planned Unit Development is inconsistent with the *2030 Comprehensive Plan*, specifically with respect to the following:

Future Land Use Element (FLUE) Policy 1.1.2

As depicted on the FLUM series, Development Areas have been established to determine appropriate locations for land uses and densities and consist of five tiers of development intensities ranging from high density infill development in the historic core to very low density in the outlying rural areas. These include: the Central Business District (CBD); the Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA). These Development Areas determine differing development characteristics and a gradation of densities for each land use plan category as provided in the Operative Provisions of this element.

FLUE Objective 2.3

Continue to strengthen the Central Business District (CBD) as the regional center of finance, government, retail and cultural activities for Northeast Florida.

FLUE Policy 2.3.1

Recognize the Central Business District (CBD) and its periphery as a significant urban area of the City appropriate for residential and mixed use projects at higher densities/intensities than the remainder of the City.

In general, the Comprehensive Plan promotes mixed-use developments, particularly in the urban areas of the City. The project incorporates retail/restaurant uses at the ground level. However, using approximately 80 percent of the building space at a prominent commercial node within Downtown for storage is inconsistent with FLUE Objective 2.3 as it does not strengthen the Central Business District as a regional center for finance, government, retail or cultural activities. Rather, it establishes a low intensity use at a location that should be used to further the existing and established character of the area. This location functions as a gateway/transition to hospitality and high-rise uses that support the Central Core District and support the Southbank Riverwalk as a premiere destination. By the same logic, the proposed development is inconsistent with FLUE Policy 1.1.2, which establishes a tiered system of densities/intensities throughout the City, ranging from high density infill development in the Central Business District to very low densities in the outlying Rural Development Area.

FLUE Policy 2.3.1 recognizes the CBD and its periphery as a significant urban area of the City appropriate for residential and mixed-use projects at higher densities/intensities than the remainder of the City. The proposed development, which includes approximately 150,000 square feet of storage space, does not utilize this location effectively with regards to intensity. Intensity and density metrics are important to urban areas as they illustrate whether a use contributes to vibrancy, walkability, and transit-demand. By nature of their function, personal property self-storage facilities create less “people-on-the-street,” which is a key feature of vibrant Downtowns.

Personal property self-storage facilities are considered “support” uses to multi-family. However, unlike other support uses, personal property self-storage facilities do not need to be adjacent to the multi-family that they support. These facilities are permissible by grant of a zoning exception in the Church, Brooklyn, and LaVilla Districts within the Downtown Zoning Overlay and within conventional zoning districts, with vacant land, that are less than ½ mile from the subject site.

(3) Is not in conflict with any portion of the City’s Land Use Regulations

- Finding: Per Section 656.340, “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.” The proposed written description and the site plan are not consistent with the City’s land use regulations, including Subpart H, and do not further their intent.

The applicant correctly states in the written description of the PUD (Exhibit 3, page 2) that “The first sentence of the Downtown Overlay in Section 656.361.5.1 of the Jacksonville Zoning Code effectively prohibits personal property self-storage uses in the Southbank District when read together with Section 656.361.5.2.H.”

In 2019, after over a year of analysis, public meetings, public input, and vetting through the DIA, the Planning and Development Department (PDD), the Downtown Development Review Board (DDRB), various stakeholders, and City Council, Ordinance 2019-196 amended the Downtown portion (Chapter 656, Part 3, Subpart H) of the Zoning Code.

This was a wholistic amendment which, with regards to personal property storage facilities, resulted in (a) identification by District of where personal property storage should be located by grant of a zoning exception, and (b) the additional development standards for personal property storage facilities.

Ultimately, after all the stakeholder input, public meetings and actions by the various required bodies, including City Council, personal property storage facilities were excluded from the Southbank District, the Cathedral District, the Central Core District, the Sports and Entertainment District, and the Working Waterfront District. As such, the proposed use of personal property self-storage in the Southbank District conflicts with the City's Land Use Regulations and the intent of the Code.

The applicant asserts within the written description (Exhibit 3, page 2) that the exclusion of personal property self-storage uses in the Southbank District was established before the multi-family units were "proposed, entitled, or developed." While development of these units may not have come to fruition in 2019, it is faulty to assume that this density was not contemplated or anticipated at the time the proposed use was excluded from specific Downtown Districts.

Section 656.341(d) Criteria for Review

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Downtown Investment Authority, Downtown Development Review Board 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

- Finding: 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 Central Business District (CBD) functional land use category as identified in the Future Land Use Map series (FLUMs). PUD Zoning Districts are permitted as a secondary district within the CBD functional land use category, and as such, the request for a proposed rezoning to a PUD is allowed within the CBD land use category. Specifics regarding the consistency evaluation for the proposed rezoning with Comprehensive Plan goals, objectives, and policies can be found in the section above.

(2) Consistency with the Concurrency Mobility and Management System

- Finding: Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the developer would be obliged to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals. Because the project is located within the DIA jurisdictional boundaries, an approval letter from the DIA/DDRB would also be required.

(3) Allocation of residential land use

- Finding: This criterion is not applicable for review as the current intended plan of development, as shown on the proposed site plan, does not include residential uses.

(4) Internal compatibility

- Finding: Per Section 656.341.d(4), all land uses proposed within a Planned Unit Development should be compatible with other proposed uses and not have any undue adverse impact on any neighboring use. The proposed PUD has been evaluated against the following internal compatibility factors:

(iii) The use of existing and proposed landscaping: Landscaping will be reviewed by DDRB for consistency with the Code, specifically with regards to the Downtown Use and Form Regulations as well as the District Design Standards.

(viii) The use and variety of building setback lines, separations and buffering: Based on the proposed site plan, the building setback lines are uniform with no variety. No separations or buffering between buildings are present because only one building is planned. The use and variety of building setback lines, separations and buffering is not compatible with this factor.

(ix) The use and variety of building groupings: No building groupings are present based on the site plan for the intended plan of development. The structure appears as one large continuous structure. The use and variety of building groupings is not compatible with this factor.

(x) The use and variety of building sizes and architectural styles: While renderings have been provided with Exhibit 4, this submittal is insufficient for development review by the DDRB and may conflict with the findings of the Board. As such, staff has not prepared an analysis of the building size and architecture.

(xiv) The particular land uses proposed and the conditions and limitations thereon: Approximately 150,000 square feet of space for storage is being proposed at a prominent commercial node within Downtown. This use would establish a low density/intensity use at a location that should be used to further the existing and established character of the area. This location functions as a gateway/transition to hospitality and high-rise uses that support the Central Core District and support the Southbank Riverwalk as a premiere destination. Staff finds that the proposed development is inconsistent with this factor.

(xvi) Compatible relationship between land uses in a mixed use project: The proposed uses of retail, parking, and personal property self-storage do not complement each other, specifically the retail and self-storage use do not have a strong, compatible relationship. Retail would more typically be compatible with residential or office uses, and while self-storage uses are compatible with residential uses, personal property self-storage facilities do not need to be within close proximity of residential uses as described previously in this report. As such, the proposed development promotes an incompatible relationship between the uses of the project.

(5) External Compatibility

- Finding: Per Section 656.341.d(5), all land uses within a proposed Planned Unit Development should be compatible with existing and planned uses of properties surrounding the proposed PUD and not have any avoidable or undue adverse impact on existing or planned surrounding uses. Using the written description of the intended plan of development and the proposed site plan, the Downtown Investment Authority has evaluated the proposed PUD against the following external compatibility factors:

(i) Those areas of the proposed Planned Unit Development located on or near its perimeter and the conditions and limitations thereon: The development pattern of this portion of the Southbank consists of blocks that contain several lots and individual structures on each block. As such, the buildings themselves are separate from one another with smaller footprints. Buildings along Prudential Drive and Hendricks Avenue in this area are generally one (1) to three (3) stories and offer residents and visitors a lot of variety in terms of facades, materials, and character. Based on the submitted site plan, the proposed structure is one large structure that does not allow for the “nooks and crannies” of the established development pattern. As a result, staff finds that the proposed development is incompatible with the existing context.

(ii) The type, number and location of surrounding external uses: The subject site is located at the southwest corner of Hendricks Avenue. Offices and restaurants are located across Hendricks Avenue from the subject site, and hotels are located across Prudential Drive from the subject site. The intersection of Prudential Drive and Hendricks Avenue is a major commercial node as it establishes a change in character from mid-rise office and commercial uses to high-rise, hospitality-driven uses that address, or cater to, the Southbank Riverwalk, which is less than 1,000 feet from the subject site. Given the type and location of adjacent uses, a five (5) story personal property self-storage facility would dominate the intersection and be inconsistent with the surrounding external uses.

(iii) The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning districts and land use categories are shown below. Granting a PUD zoning district at this location would promulgate spot zoning and be inconsistent with the spirit and intent of the Code.

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CBD	CCBD	Hotel
South	CBD	CCBD	Hair/Nail Salon and Offices
East	CBD	CCBD	Offices/Restaurant
West	CBD	CCBD	Offices

(iv) 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 use is not compatible with the accepted and anticipated intensities and densities for the area. Approximately 150,000 square feet of storage space at a prominent commercial node within Downtown would impact the pedestrian activity of this area and, as a result, the vibrancy of the Southbank.

(6) Intensity of Development

- Finding: Per Section 656.341.d(6), the intensity of a proposed Planned Unit Development should be compatible with and have no undue adverse impact upon the physical and environmental characteristics of the site and surrounding lands. Using the written description of the intended plan of development and the proposed site plan, the Downtown Investment Authority has evaluated the proposed PUD against the following factors:

(i) The locations of various proposed uses within the proposed Planned Unit Development and the degree of compatibility of such uses with each other and with surrounding uses: The proposed development, which includes approximately 150,000 square feet of storage space, does not utilize this location effectively with regards to intensity. Intensity and density metrics are important to urban areas as they illustrate whether a use contributes to vibrancy, walkability, and transit-demand. By nature of their function, personal property self-storage facilities create less “people-on-the-street,” resulting in less vibrancy and activity than traditional urban uses, such as office or residential. The proposed use is not compatible with the accepted and anticipated intensities and densities for the area.

(viii) The access to and suitability of transportation arteries within the proposed Planned Unit Development and existing external transportation systems and arteries: The Transportation Planning Division of the Planning and Development Department reviewed the application and found that Hendricks Avenue between I-95 and Prudential Drive is currently operating at 28.9 percent of capacity and that the proposed development would not impact the roadway link in that area with regards to traffic volume.

(7) Usable open spaces plazas, recreation areas.

- Finding: This criterion is not applicable as property within the Central Business District is not subject to minimum open space requirements.

(8) Impact on wetlands

- Finding: 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

- Finding: This criterion is not applicable as wildlife surveys are not required as the project is less than the 50-acre threshold.

(10) Off-street parking including loading and unloading areas.

- Finding: This criterion is not applicable as there are no off-street parking requirements in the Downtown Overlay Zone. The site plan for the intended plan of development

shows 33 parking spaces located internal to the parcel, at grade, and in general, parking is readily available in the area.

(11) Sidewalks, trails, and bikeways

- Finding: As mentioned in the “General Information” section above, sidewalks and bicycle facilities are located on Prudential Drive and Hendricks Avenue. These corridors and this intersection are notable bicycle and shared use pathways. As such, uses along these corridors should provide destinations for residents and visitors; personal property self-storage facilities do not typically serve as an origin or destination for pedestrians and cyclists.

Subpart H – Downtown Overlay Zone and Downtown District Use and Form Regulations

Per Section 656.361.4, General Standards, all development and redevelopment within the Downtown Overlay Zone shall be subject to the Use Regulations, Form Regulations, Design Guidelines, Riverwalk Park Design Criteria, and the following general standards:

A. The use shall be consistent with the BID Plan which includes the Community Redevelopment Plans and with the Central Business District Future Land Use Category as described in the Future Land Use Element of the City’s adopted Comprehensive Plan.

- Finding: The majority of the proposed use (+/- 149,033 square feet, approximately 80 percent of the development) is designed to be personal property self-storage. Generally, this use, at this location, is inconsistent with the recently adopted BID Plan (Ordinance 2022-0372-E), as illustrated below.

Redevelopment Goal No. 1: Increase commercial office utilization, occupancy, and job growth to reinforce Downtown as the region’s epicenter for business.

While the proposed mixed-use development will require jobs and office space, it is unclear if a net increase in employment and office space will be achieved over the existing uses on the site.

Redevelopment Goal No. 2: Increase rental and owner-occupied housing Downtown targeting diverse populations identified as seeking a more urban lifestyle.

The proposed development does not contemplate housing, and the primary use of personal property self-storage does not contribute to an urban lifestyle.

Redevelopment Goal No. 3: Increase and diversify the number and type of retail, food and beverage, and entertainment establishments within Downtown.

Given that 80 percent of the proposed development is designed to be personal property self-storage, the applicant places a lot of weight and value on the ground floor retail space. However, it is unclear what specific uses will activate this corner, as the retail space is clearly not the main intent of the development proposal.

Redevelopment Goal No. 4: Increase the vibrancy of Downtown for residents and visitors through arts, culture, history, sports, theater, events, parks, and attractions.

The primary proposed use of personal property self-storage is not compatible with the accepted and anticipated intensities and densities for the area. Approximately 150,000 square feet of storage space at a prominent commercial node within Downtown would impact the pedestrian activity of this area and, as a result, the vibrancy of the Southbank.

Redevelopment Goal No. 6: Improve the walkability/bike-ability of Downtown and pedestrian and bicycle connectivity between Downtown and adjacent neighborhoods and the St. Johns River.

The proposed written description reinforces the intent that the ground floor of the development will promote, and be used to, activate the streetscape. Staff is supportive of that intent. However, walkability and bike-ability inherently requires origins and destinations for the pedestrians and cyclists. The proposed 150,000 square feet of storage space does not provide an origin or destination for those residing in or visiting Downtown.

B. The form shall be in keeping with the general purpose and intent of the Downtown Overlay Zone, and Downtown Districts, including the Downtown Design Guidelines, or any amendments thereto, and the Riverwalk Park Design Criteria.

Finding: Any design presented and incorporated within the application for PUD is required to comply with the Downtown Overlay Zone, District Standards, and Downtown Design Guidebook. While renderings have been provided with Exhibit 4, this submittal is insufficient for development review by the DDRB and may conflict with the findings of the Board. As such, staff has not prepared an analysis of the building size, form, and architecture.

C. The use, building or structure will not negatively impact or injure the value of adjacent properties by noise, lights, traffic or other factors or otherwise detract from the immediate environment.

- Finding: Personal property self-storage facilities pose a challenge to the continued revitalization of Downtown in that they require that a large mass/structure occupy a significant amount of space within Downtown but provide small densities in return (jobs, residential, or otherwise). Given the approximate square footages for each use, the proposed development presents this challenge.

Density and activity metrics are important as they illustrate whether a use contributes to vibrancy, walkability, and transit-demand. By nature of their function, personal property self-storage facilities create less “people-on-the-street,” resulting in less vibrancy for the Southbank District of Downtown. For these reasons, staff finds that the proposed development is inconsistent with this standard.

D. All applications and plans submitted shall be considered within the context of the BID Plan, the Downtown District Regulations, the Downtown Design Guidelines, and the Riverwalk Park Design Criteria to assure a consistency and compatibility among proposed and existing

development, with respect to parking requirements, access, setbacks, building height, mass and transparency, etc.

- Finding: As previously mentioned, the intensity of the proposed personal property self-storage use is not compatible at this location.

Any design presented and incorporated within the application for PUD is required to comply with the Downtown Overlay Zone, District Standards, and Downtown Design Guidebook and shall be reviewed by the DDRB during conceptual and final review.

E. All applications and plans submitted shall be consistent with the City's adopted Mobility Plan and Public Facility Level of Service Standards identified in the Capital Improvements Element of the Comprehensive Plan. The requirements associated with the above are implemented separately with DIA through the approval of a redevelopment agreement and associated allocation of development rights which includes mitigation of impacts (transportation, utilities, police and fire protection, and similar impacts) by the applicant resulting from the development. Approval of the application and plans can occur during the above review, or before the above review, at the discretion of the applicant, subject to compliance with the above requirements before building permit applications are filed with the Building Official.

- Finding: If approved, the proposed development would be required to comply with the City's Mobility Plan.

F. All permitted activities (sale, service and display, preparation and storage) within the Downtown Overlay Zone shall be conducted within a completely enclosed building, unless specifically provided otherwise. Any person or entity seeking to hold an outdoor commercial or recreational activity shall first obtain a permit from the City's Special Events Division, pursuant to Part 1 of Chapter 191, Ordinance Code.

- Finding: The proposed written description states that all personal property self-storage shall be located within the building. No outside storage shall be permitted.

SUPPLEMENTAL INFORMATION

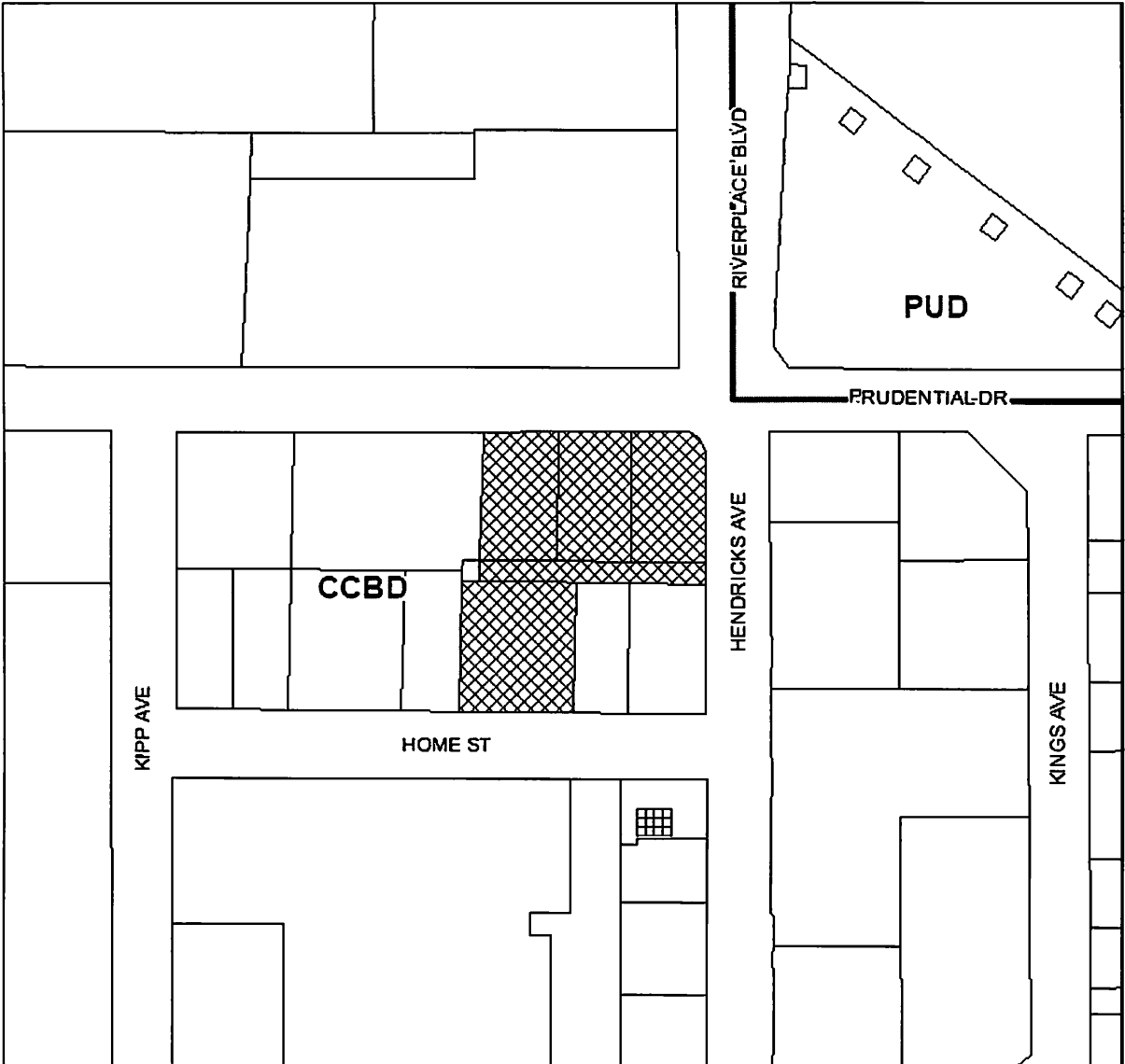
Upon visual inspection of the subject property on January 18, 2023, the required Notice of Public Hearing signs were posted.



Picture of public notification sign

RECOMMENDATION

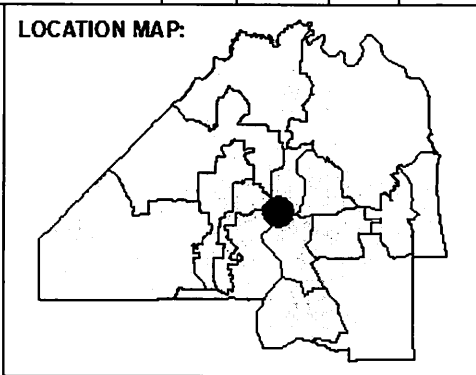
Based on the foregoing, it is the recommendation of the Downtown Investment Authority that Application for Rezoning **2023-007** be **DENIED**.



REQUEST SOUGHT:

FROM: CCB-D

TO: PUD



A north arrow pointing upwards, with 'N' at the top, 'S' at the bottom, 'E' on the right, and 'W' on the left. Below the arrow is a scale bar with markings at 0, 50, 100, and 200 feet.

COUNCIL DISTRICT:

5

TRACKING NUMBER

T-2022-4605

EXHIBIT 2

PAGE 1 OF 1

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2023-0007 **Staff Sign-Off/Date** BEL / 12/09/2022
Filing Date 12/21/2022 **Number of Signs to Post** 2
Hearing Dates:
1st City Council 02/14/2023 **Planning Commission** 02/09/2023
Land Use & Zoning 02/21/2023 **2nd City Council** N/A
Neighborhood Association NONE
Neighborhood Action Plan/Corridor Study DOWNTOWN CRA, DOWNTOWN OVERLAY

Application Info

Tracking # 4605 **Application Status** PENDING
Date Started 10/24/2022 **Date Submitted** 10/24/2022

General Information On Applicant

Last Name DIEBENOW **First Name** STEVE **Middle Name**
Company Name
Mailing Address
ONE INDEPENDENT DRIVE, STE. 1200
City JACKSONVILLE **State** FL **Zip Code** 32202
Phone 9043011269 **Fax** 9043011279 **Email** SDIEBENOW@DRIVERMCAFFEE.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name N/A **First Name** N/A **Middle Name**
Company/Trust Name
G.I.S. HOLDINGS, INC.
Mailing Address
570 JACKSONVILLE DRIVE
City JACKSONVILLE BEACH **State** FL **Zip Code** 32250
Phone **Fax** **Email**

Last Name N/A **First Name** N/A **Middle Name**
Company/Trust Name
A. WALTER HIRSHBERG FAMILY TRUST
Mailing Address
1994 RIVER ROAD
City JACKSONVILLE **State** FL **Zip Code** 32207
Phone **Fax** **Email**

Last Name N/A **First Name** N/A **Middle Name**
Company/Trust Name
 KAREN R. HIRSHBERG LIVING TRUST
Mailing Address
 1994 RIVER ROAD
City JACKSONVILLE **State** FL **Zip Code** 32207
Phone **Fax** **Email**

Last Name HIRSHBERG **First Name** KAREN **Middle Name**
Company/Trust Name

Mailing Address
 1994 RIVER ROAD
City JACKSONVILLE **State** FL **Zip Code** 32207
Phone **Fax** **Email**

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	080289 0000	5	1	CCBD	PUD
Map	080290 0000	5	1	CCBD	PUD
Map	080288 0000	5	1	CCBD	PUD
Map	080297 0000	5	1	CCBD	PUD

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category

CBD

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 1.01

Development Number

Proposed PUD Name DOWNTOWN SOUTHBANK MIXED-USE PUD

Justification For Rezoning Application

THIS PUD IS SOUGHT AS A PERMITTED SECONDARY ZONING DISTRICT UNDER THE CBD LAND USE CATEGORY. CONSISTENT WITH SUBPART G, SECTION 656.350(P) OF THE ZONING CODE AND THE CBD LAND USE CATEGORY, APPLICANT INTENDS TO DEVELOP A

MIXED-USE STRUCTURE WITH GROUND FLOOR RETAIL, OFFICE, RESTAURANT, OR OTHER COMMERCIAL PROGRAMMING WITH VERTICALLY INTEGRATED PERSONAL PROPERTY SELF-STORAGE USES ON THE SECOND THROUGH FIFTH FLOOR.

Location Of Property

General Location

SOUTHWEST CORNER OF HENDRICKS AVENUE AND PRUDENTIAL DRIVE INTERSECTION

House #	Street Name, Type and Direction	Zip Code
1004	HENDRICKS AVE	32207

Between Streets

PRUDENTIAL DRIVE and HENDRICKS AVENUE

Required Attachments For Formal, Complete application

The following items must be labeled as exhibits and attached to application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below and the PUD Check List for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.
- Exhibit C** Binding Letter.
- Exhibit D** Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
- Exhibit E** Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** Land Use Table
- Exhibit G** Copy of the deed to indicate proof of property ownership.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

- Exhibit H** Aerial Photograph.
- Exhibit I** Listed Species Survey (If the proposed site is greater than fifty acres).
- Exhibit J** Other Information as required by the Department (i.e.-*building elevations, *signage details, traffic analysis, etc.).
- Exhibit K** Site Location Map.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent MUST BE

PRESENT at the public hearings. The required SIGN(S) must be POSTED on the property BY THE APPLICANT within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- | | |
|--|-------------------|
| 1) Rezoning Application's General Base Fee: | \$2,269.00 |
| 2) Plus Cost Per Acre or Portion Thereof | |
| 1.01 Acres @ \$10.00 /acre: | \$20.00 |
| 3) Plus Notification Costs Per Addressee | |
| 40 Notifications @ \$7.00 /each: | \$280.00 |
| 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): | \$2,569.00 |

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1
Legal Description

October 18, 2022

PARCEL 1:

Lot 7, the West 18 feet of Lot 6 and the East 18 feet of Lot 8, Hendricks Subdivision of Homestead Tract, according to the plat thereof, as recorded in Plat Book 2, Page 8, of the Public Records of Duval County, Florida.

PARCEL 2:

Lot 3, Hendricks Subdivision of Homestead Tract South Jacksonville, according to the map or plat thereof, as recorded in Plat Book 2, Page(s) 8, of the Public Records of Duval County, Florida.

PARCEL 3A:

Lot one (1) Hendrick's subdivision of the homestead tract in South Jacksonville, Plat Book 2, Page 8, current public records of Duval County, Florida, said lot being located at the Southwest corner of Prudential Drive and Hendricks Avenue, South Jacksonville, less and except the following described triangular portion conveyed for street purposes to the City of Jacksonville by Standard Oil Company (incorporated in Kentucky) by Deed dated February 14, 1952, commencing at the southeasterly corner of said Lot 1, said corner being the westerly line of Hendricks Avenue; thence northerly along the easterly line of said Lot 1, also being the westerly line of Hendricks Avenue, a distance of 105.62 feet for a point of beginning; thence continuing northerly along said westerly line of Hendricks Avenue a distance of 19.38 feet to the northeasterly corner of said Lot 1, said corner being the southwesterly corner of Hendricks Avenue and Prudential Drive; thence westerly along the southerly line of Prudential Drive a distance of 19.38 feet to a point; thence southeasterly along an arc being a radius of 45 feet a distance of 27.85 feet to the point of beginning; said arc being convex to the northeast and not tangent to the northerly or easterly line of said Lot 1.

PARCEL 3B:

Lot 2, Hendricks Subdivision of Homestead Tract South Jacksonville, according to the map or plat thereof, as recorded in Plat Book 2, Page(s) 8, of the Public Records of Duval County, Florida.

ALLEY:

A PORTION OF A 20 FOOT ALLEY, HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE, AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; ALSO LYING IN SECTION 44, TOWNSHIP 2 SOUTH, RANGE 26 EAST, SAID DUVAL COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHEAST CORNER OF LOT 5,

HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE, AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SAID POINT ALSO LYING ON THE WESTERLY RIGHT OF WAY LINE OF HENDRICKS AVENUE (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED), ALSO BEING A POINT ON THE SOUTH LINE OF A 20 FOOT ALLEY, SAID HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE; THENCE NORTH 89°46'14" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 235.83 FEET TO THE NORTHERLY PROLONGATION OF THE WEST LINE OF THE EAST 18 FEET OF LOT 8, SAID HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE; THENCE NORTH 00°20'33" EAST, ALONG SAID PROLONGATION AND ALONG SAID WEST LINE, A DISTANCE OF 20.00 FEET TO THE NORTH LINE OF SAID 20 FOOT ALLEY; THENCE SOUTH 89°46'14" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 235.80 FEET TO THE AFOREMENTIONED WESTERLY RIGHT OF WAY LINE OF HENDRICKS AVENUE; THENCE SOUTH 00°15'26" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.11 ACRES, MORE OR LESS.

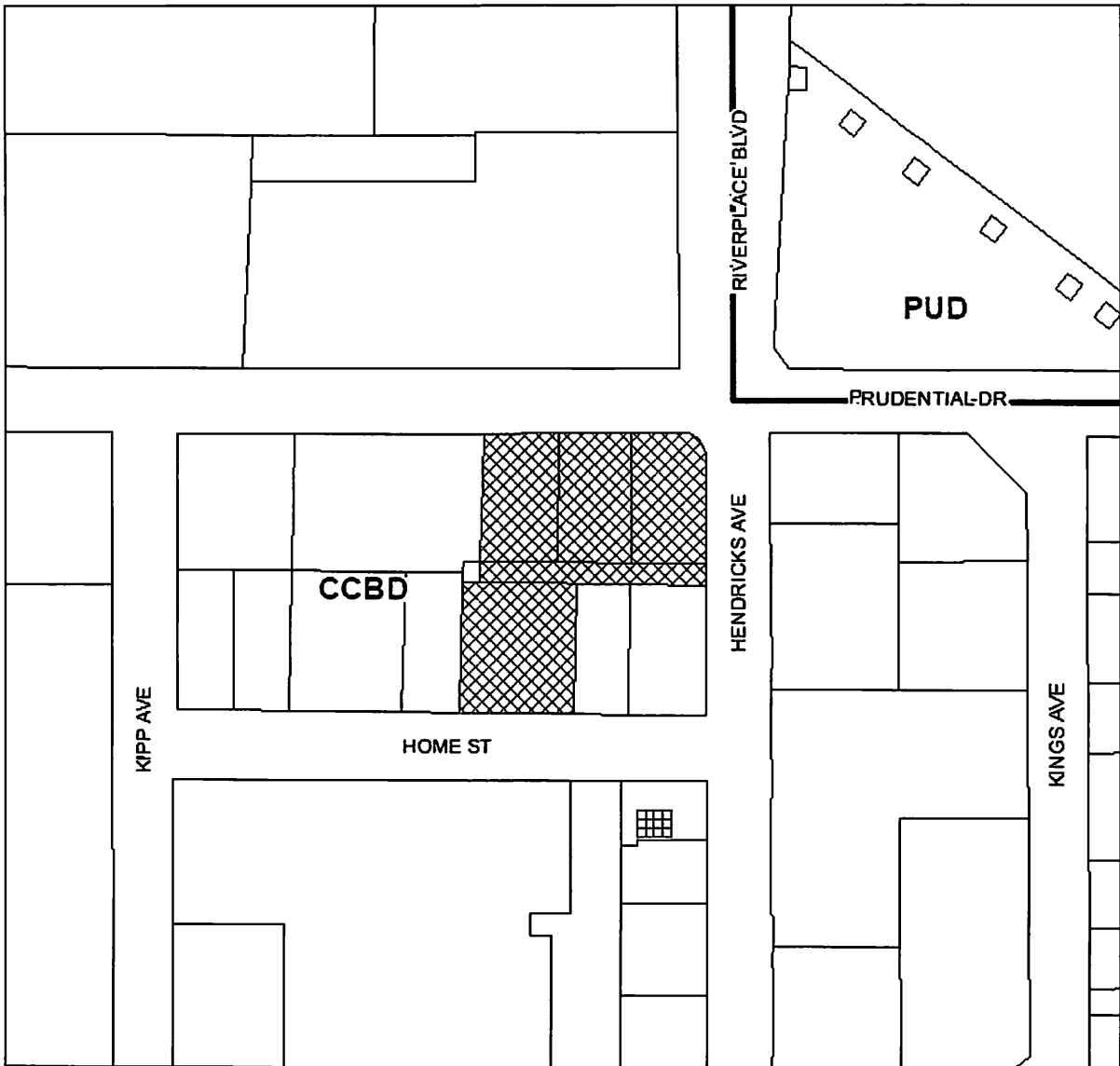
SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1, 2, 3, 7, THE WEST 18 FEET OF LOT 6, THE EAST 18 FEET OF LOT 8, AND A PORTION OF A 20 FOOT ALLEY, HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE, AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LESS AND EXCEPT THE TRIANGULAR PORTION OF SAID LOT 1 AS DESCRIBED AND RECORDED IN DEED BOOK 1546, PAGE 410 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE NORTHWEST CORNER OF LOT 3, HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE, AS RECORDED IN PLAT BOOK 2, PAGE 8 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SAID POINT ALSO LYING ON THE SOUTHERLY RIGHT OF WAY LINE OF PRUDENTIAL DRIVE (60 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE SOUTH 89°50'27" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 198.42 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 45.00 FEET, SAID POINT BEING THE NORTHWEST CORNER OF THE TRIANGULAR PORTION OF LOT 1 AS DESCRIBED AND RECORDED IN DEED BOOK 1564, PAGE 410, SAID PUBLIC RECORDS; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE AND THE SOUTHWESTERLY LINE OF SAID DEED BOOK 1546, PAGE 410, THROUGH A CENTRAL ANGLE OF 35°25'41", AN ARC LENGTH OF 27.83 FEET TO A POINT OF NON-TANGENCY OF SAID CURVE, SAID POINT BEING THE SOUTH CORNER OF SAID DEED BOOK 1546, PAGE 410 AND A POINT ON THE WESTERLY RIGHT OF WAY LINE OF HENDRICKS AVENUE (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED), SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 44°47'30" EAST, 27.38 FEET; THENCE SOUTH 00°15'26" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 115.63 FEET TO THE SOUTH LINE OF THE NORTH ONE-HALF OF A 20 FOOT ALLEY,

SAID HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE; THENCE NORTH 89°46'14" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 127.19 FEET TO THE NORTHERLY PROLONGATION OF THE EAST LINE OF THE WEST 18 FEET OF LOT 6, SAID HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE; THENCE SOUTH 00°27'28" WEST, ALONG SAID PROLONGATION AND ALONG SAID EAST LINE, A DISTANCE OF 135.49 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF HOME STREET (A 60 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 89°47'05" WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 108.35 FEET TO THE WEST LINE OF THE EAST 18 FEET OF LOT 8, SAID HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE; THENCE NORTH 00°20'33" EAST, ALONG SAID WEST LINE AND ITS NORTHERLY PROLONGATION, A DISTANCE OF 135.51 FEET TO THE SOUTH LINE OF THE NORTH ONE-HALF OF THE AFOREMENTIONED 20 FOOT ALLEY, SAID HENDRICKS SUBDIVISION OF HOMESTEAD TRACT SOUTH JACKSONVILLE; THENCE SOUTH 89°46'14" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 18.00 FEET TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF AFOREMENTIONED LOT 3; THENCE NORTH 00°15'27" EAST, ALONG SAID PROLONGATION AND ALONG SAID WEST LINE, A DISTANCE OF 134.74 FEET TO THE POINT OF BEGINNING.

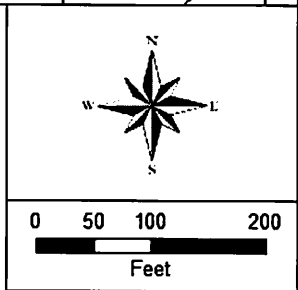
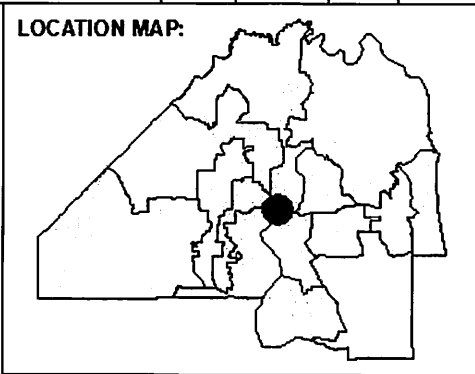
CONTAINING 1.01 ACRES, MORE OR LESS.



REQUEST SOUGHT:

FROM: CCB-D

TO: PUD



COUNCIL DISTRICT:

5

TRACKING NUMBER

T-2022-4605

EXHIBIT 2

PAGE 1 OF 1

EXHIBIT D
PUD Written Description

DOWNTOWN SOUTHBANK MIXED-USE PUD
October 18, 2022

I. PROJECT DESCRIPTION

A. Number of acres, location of site, existing use, surrounding uses, types of businesses, and proposed uses: Applicant proposes to rezone approximately 1.01 acres of property to allow for a mixed use, vertically integrated development (the “Project”) on the property located at 1004 Hendricks Avenue, 1454 and 0 Prudential Drive, and 0 Home Street (RE#s 080288 0000, 080289 0000, 080290 0000, and 080297 0000) as more particularly described in Exhibit 1 (the “Property”) and conceptually depicted in the Site Plan and elevations filed herewith. The Property falls within the CBD land use category, is zoned CCBD, and is subject to the Downtown Zoning Overlay and located within the downtown Southbank District.

This PUD is sought as a permitted secondary zoning district under the CBD land use category. Consistent with Subpart G, Section 656.350(p) of the Zoning Code and the CBD land use category, Applicant intends to develop a mixed-use structure with ground floor retail, office, restaurant, or other commercial programming with vertically integrated personal property self-storage uses on the second through fifth floor. The Project will involve the investment of approximately \$27,500,000 dollars into the Property without the assistance of City incentives. This will result in a substantial increase in revenue into the Southside Redevelopment Trust Fund compared to the existing restaurant use. The Property’s current assessed value is \$1,275,950.

This PUD adopts design standards consistent with and exceeding the Downtown Zoning Overlay and existing developments on the Southbank are adopted to ensure maximum consistency and compatibility with the surrounding area. The surrounding land use and zoning designations are as follows:

<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>	<i>Existing Use</i>
North	CBD	CCBD	Prudential Drive/Hotel
East	CBD	CCBD	Hendricks Ave/Office/Restaurant
South	CBD	CCBD	Retail/Multi-family
West	CBD	CCBD	Office/Surface Parking

B. Project name: Downtown Southbank Mixed-Use PUD.

C. Project engineer: Shamrock Building Systems, Inc.

D. Project developer: The Simpson Organization, Inc.

- E. Project agent: Driver, McAfee, Hawthorne & Diebenow, PLLC.
- F. Current land use designation: CBD.
- G. Current zoning district: CCBD.
- H. Requested zoning district: PUD.
- I. Real estate numbers: 080288 0000, 080289 0000, 080290 0000, and 080297 0000.

II. QUANTITATIVE DATA

- A. Total acreage: 1.01 acres.
- B. Total amount of retail: ±16,042 square feet.
- C. Total amount of personal property self-storage (including rental/management office): ±149,033 square feet.
- D. Total amount of covered drives and parking: ±16,730 square feet.

III. STATEMENTS

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

This PUD is filed to permit a mixed-use, vertically integrated nonresidential development that may include personal property self-storage.

The first sentence of the Downtown overlay in Section 656.361.5.1 of the Jacksonville Zoning Code effectively prohibits personal property self-storage uses in the Southbank District when read together with Section 656.361.5.2.H. These sections of the Zoning Code were based on The Downtown Community Redevelopment Area Plan adopted in August 2019 (“CRA Plan”) and implemented pursuant to Ordinance 2019-196. While the CRA Plan specifically prohibits personal property self-storage establishments¹, it does not prohibit mixed-use developments that include integrated personal property self-storage uses. Furthermore, this prohibition was established before more than five thousand (5,000) multi-family development units were proposed, entitled, or developed as detailed in Section VI.E. below. As a result, and consistent with Section 656.350(p) of the Zoning Code, the uses (including personal property self-storage) set forth in Section IV are consistent with the CBD land use category and shall be allowed by right within the PUD.

The Project must meet all the requirements of Section 656.361.6.2 – Private Realm regulations, and Section 656.361.6.3 – Public Realm regulations, without the grant of a deviation. Additionally, the development must meet the Downtown and Southbank-

¹ See page VII-8 of the CRA Plan.

specific Design Guidelines. In conjunction with the proposed permitted personal property self-storage use, the following design parameters are also required:

1. All personal property self-storage shall be located within the building, and outside storage of any type, including the outside storage of moving vans, trailers, vehicles and boats, shall not be permitted.
 2. For ground floor building facades that front public streets, at least fifty percent (50%) of street frontages shall be devoted as functional space for at least one primary use unrelated to, and not an accessory to, the personal property self-storage facility. For the purposes of meeting this requirement, functional space does not include vehicle use areas, open space, or other non-activation activities, but does include uses such as professional and medical offices, commercial retail sales and services, eating and drinking establishments, and art galleries. At least twenty percent (20%) of the total building shall be dedicated to mixed-uses (including office and/or retail) or ten percent (10%) of the total building shall be dedicated to ground floor retail uses (which may include restaurants), unrelated to the personal property self-storage facility.
 3. No more than twenty-five percent (25%) of the ground floor building façade fronting a public street may be occupied by the rental and management office associated with the personal property self-storage facility.
 4. Direct access to the individual personal property self-storage units located in the building shall not be provided from the exterior of the building. Access to the individual personal property self-storage units shall be provided by internal hallways.
 5. The minimum height shall be three (3) stories.
 6. The maximum height shall be the maximum height permitted for the Southbank District.
 7. Building facades must have the appearance of an office, retail or residential building through the use of doors, windows, awnings, and other appropriate building elements consistent with the Downtown Overlay.
- B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City.

Owner, a property owners association or similar entity will be responsible for the operation and maintenance of the areas and functions described herein and any facilities that are not provided, operated, or maintained by the City.

IV. USES AND RESTRICTIONS

A. Permitted Uses:

1. Any permitted use under Chapter 656, Part 3, subpart H for the Southbank District.
2. Personal property self-storage facilities, subject to the requirements in Section III.A.1-7 above.

B. Permissible Uses by Exception:

1. Any permissible use by exception under Chapter 656, Part 3, subpart H for the Southbank District.

C. General Use Regulations: Consistent with Section 656.361.1 of the Zoning Code and given the Project is subject to the Downtown overlay none of the supplemental standards, including those for personal property storage facilities in Section 656.401 of the Zoning Code, apply to any allowed use or the Property redevelopment.

V. DESIGN GUIDELINES

Any proposed development will be subject to review by the Downtown Development Review Board (“DDRB”) in accordance with the Downtown and Southbank-specific Design Guidelines. The facades of the building along Prudential Drive, Hendricks Avenue and Home Street are generally depicted on the Site Plan and elevations attached as Exhibit E. The Site Plan elevations are conceptual in nature. The ultimate exterior design, including façade, for the development shall be subject to DDRB Conceptual and Final Approval as set forth in the Downtown Overlay and any changes to Exhibit E resulting from said DDRB approval shall not require modification of this PUD.

VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

In accordance with Section 656.341(d) of the Zoning Code the PUD meets the applicable Criteria for review as follows:

A. **Consistency with the Comprehensive Plan.** The proposed PUD is consistent with the general purpose and intent of the City’s 2030 Comprehensive Plan and Land Use Regulations, will promote the purposes of the City’s 2030 Comprehensive Plan and specifically contributes to:

Future Land Use Element

1. Goal 1 - To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural

resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

2. 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.
3. Policy 1.1.1 - The City shall ensure that all new development and redevelopment after the effective date of the 2030 Comprehensive Plan is consistent with the Future Land Use Map series, and textual provisions of this and other elements of the 2030 Comprehensive Plan, as provided in Chapter 163 (Part II), Florida Statutes (F.S.).
4. Policy 1.1.8 - Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.
5. Policy 1.1.9 - Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.
6. 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.
7. Policy 1.1.13 - Ensure that mixed and multi-use projects enhance, rather than detract from, the character of established developed areas by requiring site plan controlled zoning such as Planned Unit Developments (PUDs), TODs or TNDs for all mixed and multi-use projects and conforming with the following criteria:
 - (1) The type of land use(s), density, and intensity is consistent with the provisions of the land use category, particularly the category's predominant land use;
 - (2) The proposed development is in conformity with the goals, objectives, policies, and operative provisions of this and other elements of the 2030 Comprehensive Plan; and
 - (3) The proposed development is compatible with surrounding existing land uses and zoning.

8. Policy 1.1.14 - Exempt the internal arrangement of uses within the Central Business District (CBD) Land Use Category and Developments of Regional Impacts (DRIs) from the nodal and other locational criteria of the 2030 Comprehensive Plan, subject to required local and regional reviews.
9. 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.
10. Policy 1.1.22 - Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.
11. Objective 1.2 - Manage the use of land in the City by approving new development and redevelopment only if necessary public facilities are provided concurrent with the impacts of development. Ensure the availability of adequate land suitable for utility facilities necessary to support proposed development. Verify prior to development order issuance that all new development and redevelopment will be served with potable water, wastewater, solid waste disposal, stormwater management facilities, and parks that meet or exceed the adopted Levels of Service established in the Capital Improvements Element.
12. Policy 1.2.8 - Ensure that projected growth in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area will be provided with sufficient system capacity to obtain centralized wastewater and potable water, through implementation of the Capital Improvements Element, which shall be updated annually and shall be coordinated with the growth projections for the City.
13. Policy 1.2.9 - Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.
14. Policy 1.3.4 - New development sites shall be required, wherever possible to share existing access points. The City will encourage new service drives or roads and connections to existing service drives or roads when deemed appropriate by the

Traffic Engineering Division and JPDD. This policy is not to conflict with and will not exempt a developer from complying with landscape and tree protection regulations.

15. Objective 2.3 - Continue to strengthen the Central Business District (CBD) as the regional center of finance, government, retail and cultural activities for Northeast Florida.
16. Policy 2.3.1 - Recognize the Central Business District (CBD) and its periphery as a significant urban area of the City appropriate for residential and mixed-use projects at higher densities/intensities than the remainder of the City.
17. Policy 2.3.3 - The Downtown Investment Authority (DIA) and the Jacksonville Planning and Development Department have developed downtown urban design guidelines that will promote high quality private and public development in the downtown area.
18. Policy 2.3.5 - The Land Development Regulations shall establish urban design, site design and building form guidelines that create high quality site designs and will require that pedestrian walkways and other pedestrian and public transit use amenities are provided in site development plans within the CBD.
19. Policy 2.3.6 - Development within the CBD shall maintain adopted Levels of Service in the 2030 Comprehensive Plan for all public facilities (drainage, sanitary sewer, solid waste, potable water, recreation, and when applicable, schools) reviewed under concurrency, except for transportation facilities, which shall be governed by the Mobility System.
20. 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.
21. Objective 3.2 - Continue to 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.
22. Policy 3.2.2 - The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.
23. Objective 3.4 - Where feasible, the City shall encourage all new developments to conform to a compact and connected growth pattern with land use diversity and

improved interrelationships among living, working, shopping, education and recreational activities.

24. Policy 3.4.2 – The City will evaluate opportunities to promote and encourage development and redevelopment opportunities for mixed and multi-use projects. The Land Development Regulations should be amended, as appropriate, to incorporate such incentives.
25. Policy 3.4.4 - Development characteristics, appropriate for each Development Area, shall be included within each commercial land use category description and shall include but are not limited to the vertical integration of a mix of uses, the relationship to roadways classified on the Functional Highway Classification Map, and pedestrian-friendly siting of uses.
26. Objective 6.3 - The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Downtown Community Redevelopment Area Plans

The CRA Plan originally set forth seven (7) Redevelopment Goals. The CRA Plan was updated in June 2022 and adopted by the Jacksonville City Council pursuant to Ordinance 2022-372 (“Updated CRA Plan”). The Updated CRA Plan sets forth eight (8) Redevelopment Goals. The proposed PUD meets no fewer than five (5) of these new Redevelopment Goals as set forth in detail below.

27. **Redevelopment Goal No. 1** | Increase commercial office utilization, occupancy, and job growth to reinforce Downtown as the region’s epicenter for business.

Strategic Objectives:

- Grow or maintain the Downtown workforce each year by adding new permanent jobs and/or retaining existing permanent jobs within Downtown.

Permanent jobs will be created by the Project.

- Encourage more efficient utilization of existing parking structures and discourage the construction of new parking structures exclusively for use of single building tenants by employing tools such as shared-use parking, employer provided shuttles and trolleys, transit vouchers and similar programs.

The Project is a mixed-use project with integrated parking available for multiple building tenants.

Benchmarks:

- Number of Permanent Jobs/FT in Downtown Jacksonville

The Project will cause the number of jobs to increase.

- Total office square footage within Downtown Jacksonville

The Project will cause the amount of office space to increase.

28. Redevelopment Goal No. 3 | Increase and diversify the number and type of retail, food and beverage, and entertainment establishments within Downtown.

Strategic Objectives:

- Increase the number of retail, food and beverage, and entertainment establishments that are open for business weekends and other times outside of weekday business hours.

The Project will cause the number of retail, food and beverage, and/or entertainment establishments that are open for business weekends and at other times outside of weekday business hours to increase.

- Pursue the addition of one or more new neighborhood restaurant/entertainment venues in each District by 2025 and a second by 2030.

The Project may add one or more new neighborhood restaurant/entertainment venues in the Southbank by 2025.

Benchmarks:

- Number of operating restaurants/entertainment venues by District.

The Project may cause the number of operating restaurants/entertainment venues to increase.

- Number of storefronts incentivized for retail redevelopment.

The Project will cause the amount of retail redevelopment to increase without incentives.

- Tax Value of freestanding single tenant or multi-tenant retail, restaurant and entertainment venues and Impact to TIF and Future Projections.

The Project will cause the Tax Value of multi-tenant retail venues to increase and positively impact the TIF and Future Projections.

- Number of retail, food and beverage, and entertainment venues open weekends and after work hours on weekdays.

The Project will cause the number of retail, food and beverage and/or entertainment venues that are open weekends and after work hours on weekdays to increase.

- Number of new shared use parking spaces put into service or existing spaces formally made available for shared use pursuant to DIA agreements or incentives.

Approximately thirty-three (33) shared parking space will be put into service without DIA agreements or incentives.

29. Redevelopment Goal No. 5 | Improve the safety, accessibility, and wellness of Downtown Jacksonville and cleanliness and maintenance of public spaces for residents, workers, and visitors.

Strategic Objectives:

- Support a clean and safe Downtown 24-7, including the work of Downtown Vision Inc.

The Project will support a clean and safe Downtown 24-7 and join DVI.

- Expand the installation of public infrastructure that enhances safety such as countdown timer pedestrian signals, enhanced lighting, security cameras, etc.

The Project will rebuild the existing sidewalks to enhance pedestrian safety and utilize cameras to enhance public safety generally.

- Support and enforce proper cleaning, maintenance, and repair of public spaces.

The Project will ensure that the surrounding sidewalks and landscaping in the public right-of-way will be maintained in a Class A condition.

- Enforce proper maintenance of private property.

The Project will include covenants to various tenants to ensure that it will be maintained in a Class A condition.

- Promote safe and equitable access to all Downtown Jacksonville facilities by improving access to buildings and other properties, amenities, transit, events, and attractions; by eliminating obstacles; and by designing for all ages and abilities.

The Project will comply with all ADA requirements. It should be noted that this condition does not exist on the current gravel parking lots.

Benchmarks:

- Number of JSO officers assigned to Downtown Jacksonville.

The taxes generated by the Project will be sufficient to support additional JSO officers if deemed appropriate through the budget process.

- Number of pedestrian injuries reported by JSO and Risk management.

With new sidewalks and ADA compatible parking spaces the risk of pedestrian injuries should be reduced.

- Number of citations issued by Code Compliance for private property maintenance violations.

The developer has never been cited for private property maintenance violations and they will not occur at the Project.

30. **Redevelopment Goal No. 6** | Improve the walkability/bike-ability of Downtown and pedestrian and bicycle connectivity between Downtown and adjacent neighborhoods and the St. Johns River.

Strategic Objectives:

- Optimize the design of downtown streets for pedestrians; require sidewalks of sufficient width to ensure an adequate pedestrian clear zone; reduce travel lane widths to reduce vehicle speed. Increase shade on sidewalks and in public spaces in accordance with design standards and plant shade trees wherever feasible.

The Project will be designed in accordance with Section 656.361.6.2 – Private Realm regulations, and Section 656.361.6.3 – Public Realm regulations to ensure adequate pedestrian space and shade on the sidewalks.

- Support the creation of wide, visible dedicated bike lanes or cycle tracks on designated streets; Install and maintain interesting and safe bicycle racks in appropriate locations throughout Downtown Jacksonville

The Project will have bicycle racks.

- Enforce the requirement to bring buildings forward to the existing or new sidewalk edge to create a sense of enclosure for adjacent sidewalks and streets

The Project will be built forward to the sidewalk edge as permitted by the Downtown and Southbank-specific Design Guidelines.

- Create a compact and walkable Downtown Jacksonville through requiring a mixture of uses in each district so that housing, activities, retail, and other businesses are within useful walking distance, requiring buildings to have active facades at street level through a mixture of restaurants (including cafes with outdoor seating), retail, and services, and by requiring direct doorways and access to the street. Minimize blank walls and surface parking.

The Project provides a mixture of uses so that housing, activities, retail, and other businesses are within useful walking distance. The Project will have active facades at street level through a mixture of nonresidential uses which may include restaurants, retail, and services, office, and direct doorways with access to the street. The Project will minimize blank walls and surface parking.

Benchmarks:

- Walk Score greater than 90 in all Districts other than Sports and Entertainment and Working Waterfront. Walk Score greater than 80 in all other parts of Downtown Jacksonville.

The Project will enhance the Southbank Walkability Score.

- Number of shade trees planted on Downtown Jacksonville sidewalks.

The Project will increase the number of shade trees on Downtown sidewalks.

- Number of artistic and standard bike racks installed within Downtown Jacksonville.

The Project will have bicycle racks.

- Number of deviations from Build-to line granted by DDRB.

The Project does not anticipate seeking any deviations from Build-to lines.

- Number of new mixed-use developments approved.

The proposed Project would be a new mixed-use development Downtown.

31. Redevelopment Goal No. 8 | Simplify and increase the efficiency of the approval process for Downtown development and improve departmental and agency coordination.

Strategic Objectives:

- Reconcile city plan policies and regulations to ensure policy consistency and uniform application.

During the consideration of Ordinance 2021-821 the City Council and DIA staff indicated that they would prefer to evaluate the Project as a PUD rather than as a wholesale change to the Downtown Overlay.

- Establish a clear, efficient, and maximally predictable process for reviewing development permits and incentive requests, including development and use of model applications, forms, and agreements where appropriate.

The Zoning Code and Comprehensive Plan permit the use of a PUD to seek the proposed use Downtown and the DIA staff has indicated that this is a legal approach they will evaluate.

- Continually look for ways to simplify application and permitting processes.

Evaluating unique proposed uses as PUDs instead of modifying the Downtown Overlay to permit a use by exception, and subsequently evaluating the proposed use as part of a vertically integrated mixed use project pursuant to the modified Downtown Overlay, is simpler.

Benchmarks:

- Duration of DIA approval process from receipt of sufficient application for incentive requested and project profile form through DIA Board action

Evaluating a PUD should take less time than changing the Downtown Overlay and then pursuing a Zoning Exception.

- Acreage/value of City-owned property held for redevelopment

Should the closure of the alleyway be approved the City will have converted property that it presently owns for development that generates taxes for the benefit of the CRA.

- Number of DDRB approvals granted per year

Should the Project be approved DDRB will be able to increase the number of approvals.

- B. Consistency with the Concurrency Management System.** All development will secure any necessary approvals from the CMMSO and DIA in accordance with Chapter 655 of the Code.
- C. Allocation of residential land use.** The current development plan does not contemplate residential development. However, any residential development will be consistent with the Comprehensive Plan and applicable zoning code provisions.
- D. Internal compatibility.** The Site Plan attached as Exhibit E addresses access and circulation within the site. Access will be by way of Prudential Drive and Home Street. Approximately ±16,042 square feet of commercial retail will be programmed on the first floor of the development with vertically integrated personal property self-storage facilities encompassing the second through fifth floors. Approximately thirty-three (33) parking spaces are provided with covered loading zones serving both ground floor uses and personal property self-storage uses.
- E. External compatibility / Intensity of development.** The proposed development is consistent with and complimentary to existing uses in the area and will enhance an otherwise distressed corridor that provide a vital transition from the downtown core to San Marco. Permitted ground floor uses and personal property self-storage uses are compatible with the surrounding office, retail, restaurant and multi-family uses in the area. Requiring all personal property self-storage and access to such personal property self-storage to be located internal to the structure, as well as the implementation of facades consistent with an office, retail or residential building, ensures compatibility with the adjoining developments in addition to the general development pattern in the Southbank. The PUD also adopts both the Private and Public Realm regulations and requires that any personal property self-storage use conform with each without deviation.

Off-street parking and loading will be predominately screened from Hendricks Avenue and Prudential Drive by the proposed mixed-use development and other existing structures as generally depicted on the Site Plan and elevations attached as Exhibit E. The proposed building will “frame” the corner of Hendricks Avenue and Prudential Drive by utilizing doors, windows, awnings and/or other appropriate building elements consistent with the design parameters within the Downtown Overlay. This contrasts

with the current restaurant on the Property that has parking visible from Hendricks Avenue and Prudential Drive on three sides (3) of the structure.

Since the adoption of the CRA Plan in 2019, two thousand five hundred fifty-seven (2,557) multi-family units have either been developed, are under construction, or moving through entitlement processes within the Southbank². Substantial multi-family growth is likewise occurring in San Marco and the Northbank. These projects include:

SOUTHBANK

Broadstone	opened 2019	264 du
SoBa	opened 2021	143 du
Southerly	opens 2022	185 du
Rivers Edge (fka The District)	under construction 2022	950 du
Related	construction to start 2022	325 du
Artea	construction to start 2022	340 du
JTA Southbank Residential	proposed	<u>350 du</u>
		2,557 du

SAN MARCO (within 1 mile of Southbank)

Promenade	opened 2019	284 du
Exchange/Barlow (f/k/a San Marco Crossing)	opens 2021	486 du
Eastborough	under construction 2021	226 du
1230 Hendricks	under construction 2022	345 du
Hendricks	under construction 2022	<u>133 du</u>
		1,474 du

NORTHBANK

Barnett Tower	opened 2019	107 du
Vista Brooklyn	opened 2021	308 du
DORO	under construction 2021	247 du
1 Riverside Ave	demolition began 2022	271 du
Ford on Bay	RFP awarded 2022	~300 du
The Landing	RFP awarded 2022	<u>~300 du</u>
		1,533 du

The Downtown Jacksonville Market Feasibility Study completed on September 15, 2021 (the “Study”) noted on page 40 that:

The current combination of high vacancy rates, rapid absorption, and relatively higher asking rents in comparison to achieved rents suggest that multifamily housing in the Brooklyn and Southbank Districts are in demand as newly built product continues to be added and absorbed and pipeline development becomes reality. Current activity indicates a substantial

² This does not count the previously constructed 682 du including: The Peninsula (234 du), The Strand (295 du), San Marco Place (141 du) and Home Street Lofts (12 du).

number of units will be coming online in these Districts through 2023, which will increase competitive pressure on market rents and negatively impact vacancy rates as the market restabilizes.

The Study concluded that the “Southbank has seen significant mid-rise and high-rise residential development, leveraging the waterfront and views of downtown. It is expected that residential opportunities will continue, as land prices away from the river remain low and rents and demand remain high relative to the rest of the City.” See page 105 of the Study.

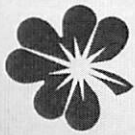
Although it does not address recent developments in San Marco, the Study confirms developments described above throughout the Southbank and Northbank. The Study also explains why further multi-family development can be expected in the Southbank. In addition to being compatible with adjacent properties, the proposed ground floor uses and integrated personal property self-storage uses are consistent with and supportive of the current and developing multi-family residential uses in the Southbank and nearby San Marco and Northbank neighborhoods.

The influx of residential development, particularly multi-family development, is indicative of substantial demand for personal property self-storage uses considering that approximately seventy percent (70%) of all personal property self-storage tenants are residential. The proposed mixed-use development providing both ground floor uses and personal property self-storage uses will specifically cater to the needs of those individuals currently living in or moving into the new multi-family developments. A letter further expanding upon the marketability and demand of the Project is filed herewith as Exhibit J.

- F. **Usable open spaces, plazas, recreation areas.** Open space in compliance with the 2030 Comprehensive Plan will be provided substantially as generally shown on the Site Plan and elevations attached as Exhibit E.
- G. **Impact on wetlands.** Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- H. **Listed species regulations.** The Property is less than fifty (50) acres and therefore a listed species survey is not required.
- I. **Off-Street parking including loading and unloading areas.** The proposed PUD provides approximately thirty-three (33) off-street parking spaces as conceptually depicted on the Site Plan.
- J. **Sidewalks, trails and bikeways.** Pedestrian circulation will be addressed consistent with City regulations.
- K. **Signage.** Signage will be consistent with Part 13, Subpart B, of the Zoning Code.

TSD

THE SIMPSON ORGANIZATION



Shamrock
Building Systems, Inc.

Prudential Dr Self Storage

San Marco, Florida



View from Corner of Prudential Drive and Hendricks Ave

TSD

THE SIMPSON ORGANIZATION



Shamrock
Building Systems, Inc.

Self Storage



View from Corner of Home Street and Hendricks Ave

TSD THE SIMPSON ORGANIZATION



Shamrock
Building Systems, Inc.

Prudential Dr Self Storage

San Marco, Florida



View from Home Street

TSD THE SIMPSON ORGANIZATION



Shamrock
Building Systems, Inc.

Prudential Dr Self Storage

Prudential



View from Prudential Drive

EXHIBIT F

Land Use Table

Total gross acreage	1.01 Acres	100 %
Amount of each different land use by acreage		
Single family	_____ Acres	_____ %
Total number of dwelling units	_____ D.U.	
Multiple family	_____ Acres	_____ %
Total number of dwelling units	_____ D.U.	
Commercial	1.01 Acres	100 %
Industrial	_____ Acres	_____ %
Other land use (Hospital and related uses)	_____ Acres	_____ %
Active recreation and/or open space	_____ Acres	_____ %
Passive open space	_____ Acres	_____ %
Public and private right-of-way	_____ Acres	_____ %

The land use estimates in this table are subject to change within the allowable densities and intensities of use, as set forth in the PUD Written Description. The maximum coverage by buildings and structures is subject to the PUD Written Description.



21 West Church Street
Jacksonville, Florida 32202-3139

January 13, 2023

MEMORANDUM

To: Planning and Development Department

From: Susan R. West, PE
JEA

Subject: PUD Zoning Application
Southbank Mixed Use PUD
ORD 2023-0007

Water, sewer and electric connections to be consistent with JEA design standards, processes, and procedures. Final project design to meet the JEA Design Standards in effect at the time of construction plan approval.

Additional service and design elements will be addressed following applicant's construction plan review submittal. If you have any questions, please call or email me directly at 904-665-7980 or westsr@jea.com.