

**PUD WRITTEN DESCRIPTION**  
**800 LOMAX PUD**  
**April 5, 2023**

**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 0.39 acres of property located at 800 Lomax Street (RE# 090322 0000) as more particularly described in Exhibit 1 (the “Property”) and conceptually depicted in the Site Plan filed herewith. The Property is located within the CGC land use category, the Urban Priority Development Area and is zoned CCG-1. The Property is also located within the Urban Transition Area of the Riverside Avondale Zoning Overlay.

The Property fronts Lomax Street and Oak Street, one (1) block from the Five Points commercial corridor. The existing structure is currently used by an antique retail store; however, consistent with the development pattern in the area, Applicant intends to renovate the building to suit restaurant and other retail uses. As part of the renovations, service courts will be provided as conceptually depicted in the Site Plan to provide for back-of-house operations, including solid waste collection. Solid waste shall be managed and kept in a neat and orderly condition.

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	CGC	CCG-1	Restaurant, Retail
East	RPI	CRO	Oak Street, Office
South	CGC	CCG-1	Restaurant, Office
West	CGC	CCG-1, PUD (2020-390)	Restaurant, Retail

- B. Project name: 800 Lomax PUD.
- C. Project architect: Design/Cooperative LLC.
- D. Project developer: 800 Lomax LLC.
- E. Project agent: Driver, McAfee, Hawthorne & Diebenow, PLLC.
- F. Current land use designation: CGC.
- G. Current zoning district: CCG-1.
- H. Requested zoning district: PUD.
- I. Real estate number: 090322 0000.

## II. QUANTITATIVE DATA

- A. Total acreage: 0.39 acres.
- B. Total amount of nonresidential floor area: 34,000 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 outside sale and service including the sale and service of all alcoholic beverages and otherwise generally adopt the CCG-1 zoning standards with the following exceptions:

1. Establishments or facilities which include the retail sale and service of all alcohol, including beer, wine and liquor, for on-premises or off-premises consumption or both, are permitted. Permanent outdoor sales and service of food and alcohol is permitted.
2. The following uses are prohibited:
  - a. Building trades contractors.
  - b. Hotels and motels.
  - c. Indoor facilities associated with pari-mutuel permits and adult arcade amusement.
  - d. Off street parking lots.
  - e. Adult congregate living facilities.
  - f. Parcel delivery offices.
  - g. Veterinary offices.
  - h. Personal property storage facilities.
  - i. Churches.
  - j. Wholesaling or distributorship businesses.
  - k. Gas stations, car washes and detailing services.
  - l. Dancing entertainment establishments and nightclubs.

- m. Textile collection bins.
  - n. Residential treatment facilities and emergency shelters.
  - o. Multi-family uses.
  - p. Crematories.
  - q. Automobile sales by a franchised dealer and service garages for minor or major repairs.
  - r. Pawn shops.
  - s. Recycling collection points.
  - t. Blood donor stations, plasma centers and similar uses.
  - u. Service and repair of appliances and small engines.
  - v. Schools.
  - w. Indoor gun ranges.
  - x. Sale of new and used tires.
3. Off-street parking is not required consistent with the Five Points commercial corridor development pattern.
  4. Landscaping provisions acknowledge that the existing building is constructed to the property line but requires that new construction shall be consistent with the Riverside Avondale Zoning Overlay and Part 12 of the Zoning Code.
  5. The minimum distance between the Property and a church or school as required by Section 656.805 of the Zoning Code is waived.
  6. Due to the existing built conditions of the Property and its distance to the St. Johns River, separate public open space providing visual and/or pedestrian access to the water as provided for in section 656.399.24(5) shall not be required.
  7. A corner entrance is not required due to the proposed patio dining area.
- 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 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. Commercial retail sales and service establishments, including establishments or facilities which include the retail sale and service of all alcohol, including beer, wine and liquor, for on-premises or off-premises consumption or both. Permanent outdoor sales and service of food and alcohol is permitted.
2. Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
3. Professional and business offices.
4. Commercial indoor recreational or entertainment facilities such as bowling alleys, golf simulators, arcades, and billiard rooms.
5. Art galleries, museums, community centers, dance, art or music studios.
6. Vocational, trade or business schools and similar uses.
7. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.
8. Retail plant nurseries including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.
9. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
10. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
11. Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4.
12. Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.

##### **B. Permissible Uses by Exception:**

1. Private clubs.

C. Permitted Accessory Uses and Structures:

1. As permitted in Section 656.403.

**V. DESIGN GUIDELINES**

A. Lot Requirements:

1. Minimum lot width and area: None, except as otherwise required for certain uses.
2. Maximum lot coverage by all buildings: None, except as otherwise required for certain uses. Impervious surface ratio as required by Section 654.129.
3. Minimum yard requirements:
  - a. Front – None.
  - b. Side – None.
  - c. Rear – None.
4. Maximum height of structures:
  - a. As required by the Riverside Avondale Zoning Overlay.

B. Ingress, Egress and Circulation:

1. *Minimum Parking and Loading Requirements.* Off-street parking spaces are not required.
2. *Vehicular Access.* The building on the Property has been built to or near lot lines, such that direct vehicular access to the Property is not feasible.
3. *Pedestrian Access.* As required by City regulations.

C. Signs: Signs for this development shall be consistent with the requirements for the Riverside Avondale Zoning Overlay and Part 13 of the Zoning Code.

D. Landscaping: The existing building predates adoption of the Riverside Avondale Zoning Overlay and is constructed to the property line. Accordingly, compliance with the requirements for an eight (8) foot wide pedestrian area for the length of the street frontage, street trees and urban landscaping are not feasible. In the event the parcel is redeveloped and a new building is constructed, landscaping shall be consistent with the

Riverside Avondale Zoning Overlay and Part 12 of the Zoning Code or as otherwise approved by the Planning and Development Department.

- E. Recreation and Open Space: Recreation and open space shall be provided as required by the 2045 Comprehensive Plan.
- F. Utilities: Essential services, including water, sewer, and gas, as required to serve the project shall be permitted on the site. Water, sanitary sewer and electric will be provided by JEA.
- G. Wetlands: Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- H. Waiver of minimum distance for a liquor license: The minimum distance between the Property and a church or school as required by Section 656.805 of the Zoning Code is waived.
- I. Public Open Space Standards: Due to the existing built conditions of the Property and its distance to the St. Johns River, separate public open space providing visual and/or pedestrian access to the water as provided for in section 656.399.24(5) shall not be required.
- J. Building Design Standards: A corner entrance is not required due to the location of the proposed patio dining area.

## **VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT**

In accordance with Section 656.341(d) of the 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 2045 Comprehensive Plan and Land Use Regulations, will promote the purposes of the City's 2045 Comprehensive Plan and specifically contributes to:

### *Future Land Use Element*

- 1. 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.

2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.

9. 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.
  10. Policy 3.2.7 – The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.
  11. 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.
- B. Consistency with the Concurrency Management System.** All development will secure necessary approvals from the CMMSO and pay all required fees in accordance with Chapter 655 of the Code.
- C. Allocation of residential land use.** Residential use is not currently proposed. Any such residential development shall conform to the CGC land use category.
- D. Internal compatibility.** The Site Plan attached as Exhibit E addresses access and circulation within the site. Pedestrian access to the site is available from Lomax Street and Oak Street. Location of the access points shown on the Site Plan as well as final design of the access points is subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.
- E. External compatibility/ Intensity of development.** The proposed development is consistent with and complimentary to existing uses in the area. Commercial retail and restaurant uses are in line with the Five Points commercial corridor. Specifically, there are numerous restaurants serving alcohol along the corridor within five hundred (500) feet of a church or school, including: Corner Taco (818 Post Street), Hawkers (1001 Park Street), Escape Restaurant and Bar (1023 Park Street), Crane Ramen (1029 Park Street), Root Down (1034 Park Street), Hoptinger Bier Garden & Sausage House (1037 Park Street), Birdies (1044 Park Street), Wall Street Lounge (1050 Park Street), Rain Dogs (1045 Park Street), Biggie’s Pizza (1053 Park Street), and Taqueria Cinco (809 Lomax Street).
- F. Usable open spaces, plazas, recreation areas.** Open space in compliance with the 2045 Comprehensive Plan will be provided substantially provided as shown on the Site Plan 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.** Consistent with the urban development pattern within the Five Points commercial corridor, off-street parking is not required.
- J. **Sidewalks, trails and bikeways.** Pedestrian circulation will be addressed consistent with the City regulations.

**EXHIBIT F**

**Land Use Table**

Total gross acreage	<u>0.39</u> Acres	<u>100</u> %
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	<u>.39</u> Acres	<u>100</u> %
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.