



SOUTHSIDE EURO

5942 RICHARD STREET

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

(A) Is the proposed zoning district consistent with the 2045 Comprehensive Plan?

No. When applying the criteria of consistency with the 2045 Comprehensive Plan, the combined factors of the goals, objectives and policies of the plan along with the appropriate Functional Land Use Categories are used. Thus, the fact that the proposed use is allowed in the land use category does not ensure overall consistency with the 2045 Comprehensive Plan. The transition, compatibility, and intensity of uses are accomplished through appropriate zoning and are an important consideration to the welfare and sustainability of an area. Therefore, while the proposed uses are consistent with the category description of the functional land use category, the intensity and scale of the project is **not consistent** with the intent of the 2045 Comprehensive Plan.

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

No. This proposed rezoning to Planned Unit Development are **inconsistent** with the 2045 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element:

Policy 1.1.9 Promote the use of Planned Unit Developments (PUD) zoning districts, cluster developments, and other innovative site planning and smart growth techniques in order to allow for appropriate combinations of complementary land uses, densities and intensities consistent with the underlying land use category or site specific policy, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

The PUD is not providing innovative site planning and smart growth techniques. The applicant is using the PUD to reduce the number of on-site parking space that is required in Part 6 to circumvent the intent of the Zoning Code. Section 656.340 of the Zoning Code states – “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.”

Policy 1.1.13 Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:

1. Creation of complementary uses;
2. Enhancement of transportation connections;
3. Use of noise, odor, vibration and visual/ aesthetic controls; and/or

4. Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.

The PUD does not offer any screening noise attenuation or buffering to adjacent uses. The proposed automobile service garage will share a driveway with the adjacent property owner. There is the potential for conflicts if the number of vehicles exceed the 28 spaces proposed in the PUD.

(C) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

Yes. The written description and the site plan of the intended plan of development, do not meet all portions of the City's land use regulations. The application is requesting to reduce the number of parking spaces. Section 656.340 of the Zoning Code states – "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."

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

(1) Consistency with the 2045 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use categories as identified in the Future Land Use Map series (FLUMs): Community General Commercial (CGC). The Planning and Development Department finds that the proposed PUD is **inconsistent** with the 2045 Comprehensive Plan, as evaluated in Criteria (B).

(2) Consistency with the Concurrency Mobility and Management System

Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals.

(3) Allocation of residential land use

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

South	CGC	CCG-1	Office, showroom
East	HDR	PUD (2019-231)	Multi-family
West	CGC	CCG-2	Office, warehouse

- 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 building and service bay doors will face a one story office building. As the two properties share a drive, there is no option to provide landscaping or other screening of the service bays.

(6) Intensity of Development

The proposed development is an allowed use in the Community General Commercial (CGC) land use category, however that does not ensure overall consistency with the 2045 Comprehensive Plan. The PUD is **inappropriate** at this location because the PUD is requesting a large reduction in the number of required on-site parking spaces in relation to the size of the site.

(7) Usable open spaces plazas, recreation areas.

Not required for commercial use.

(8) Impact on wetlands

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

No wildlife survey was required as the project is less than the 50-acre threshold.

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

The application indicates the proposed development will have space for 20 vehicles to be stored inside the building and 8 spaces outside for a total of 28 spaces. Section 656.604 (f) Auto repair requires one space per 200 square feet of gross floor area. Based on 9,125 square foot building, the Zoning Code requires 46 spaces. This is a difference of 18 spaces.

The City's Traffic Engineer indicates the parcel will need to meet the requirement for cross access easements per Section 656.115 (f) of the Municipal Code.

(11) Sidewalks, trails, and bikeways

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



SOUTH-SIDE
Euro

NORTH - 5711 Richard Street – office park



Natural buffer between site and office park



5624

5711

57



5711

5343

5624

5711

5719



5711

2019





NO PARKING
IN FRONT OF
BUILDING

1/2008

109

95

R

R

Richard St

Cagle Rd

Cagle Rd

Richard St





(iii) Availability and location of utility services and public facilities and services

Full service potable water, sanitary sewer, and electricity will be provided by JEA. Adequate service capacity exists to supply the needs of the intended plan of development.

(iv) Amount and size of open spaces, plazas and common area and recreation uses

The Site Plan illustrates outdoor dog runs, swimming pools, and open spaces for the utilization of the clientele. There is no human residential population associated with this PUD that would require the provision of usable open space for passive recreation.

(v) Use of energy saving techniques and devices, including sun and wind orientation

The project team will utilize best development practices in the civil engineering of the PUD.

(vi) Existence and treatment of any environmental hazards

Not applicable, there are no environmental hazards on or near the Site.

(vii) Access to and suitability of transportation arteries

The Site has access to both University Boulevard West and Richard Street. The Site includes nonexclusive right to utilize the driveway from University Boulevard West to the southern boundary line of the Site, the drainage easement leading from the Site to the westerly retention pond, the retention pond, and the outfall from the southerly corner of adjacent lands.

G. Usable Open Spaces

The Site Plan illustrates outdoor dog runs, swimming pools, and open spaces for the utilization of the guests. One acre along the western property boundary will continue to contain a stormwater retention pond. There is no human residential population associated with this PUD that would require the provision of usable open space for passive recreation.

H. Wetland Impacts

There are no jurisdictional wetlands upon the Site.

I. Wildlife Survey and Listed Species Regulations

There are no forms of wildlife, listed or otherwise on the Site. This PUD is an infill project that is far less than the City's 50-acre threshold for requiring a wildlife survey.

J. Off-Street Parking and Loading Requirements

The Applicant desires provision enough off-street parking to assure customers a space whenever they choose to seek pet boarding. Furthermore, the Applicant does not wish to promulgate large greyfields of unutilized off-street parking and prefers to retain as much



green space on the Site as possible. To that end, off-street parking for the pet facility will be provided in keeping with the number determined necessary at the other five area Pet Paradise Resort and Day Spa locations. At a minimum, fourteen (14) off-street parking spaces shall be provided for the pet facility. With nearly a decade of existence in the northeast Florida market, the Applicant has observed that 14 spaces is more than adequate to accommodate even the busiest of times. St. Augustine, Palm Coast and Holly Hill have not needed more than 14 spaces. The Jacksonville location on Pecan Park Road contains several parking spaces that have never been utilized by customers.

The second building on the Site Plan will provide off-street parking in accordance with Part 6 of the Zoning Code (Off-Street Parking and Loading Regulations).

K. Sidewalks, Trails and Bikeways

Sidewalks, minimum five (5) foot wide, shall be constructed along where the Site abuts public rights-of-way to provide for and encourage pedestrian movement. Sidewalks shall be installed once building construction has been completed. All sidewalk features shall be designed to provide access to the physically challenged in accordance with the Florida Accessibility Code.

R-2006-1116
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING R-2006-1116 TO PLANNED UNIT DEVELOPMENT

NOVEMBER 16, 2006

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning R-2006-1116 Planned Unit Development.

Location: 5150 University Boulevard, West
Jacksonville, Florida 32216
Between Richard Street and Philips
Highway

Current Zoning District: Commercial Community/General-1 (CCG-1), Commercial Community/General-2 (CCG-2)

Proposed Zoning District: Planned Unit Development (PUD)

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

Planning District: Southeast

City Council District: The Honorable Suzanne Jenkins, District 4

Applicant/Agent: Anthony S. Robbins
13901 Sutton Park Drive South, Suite 200
Jacksonville, Florida 32224

Owner: Pet Paradise-University, LLC
830-13 A1A North, Suite 208
Ponte Vedra Beach, Florida 32082

Staff Recommendation: **APPROVE WITH CONDITIONS**

Commercial Community/General-1 (CCG-1) District.

(a) Permitted uses and structures.

- (1) Commercial retail sales and service establishments
- (2) Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
- (3) Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses.
- (4) Hotels and motels.
- (5) Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters, indoor facilities operated by a licensed pari-mutuel permitholder, adult arcade amusement centers operated by a licensed permitholder, game promotions or sweepstakes utilizing electronic equipment, meeting the performance standards and development criteria set forth in Part 4, drawings by chance conducted in connection with the sale of a consumer product or service utilizing electronic equipment, meeting the performance standards and development criteria set forth in Part 4, and similar uses.
- (6) Art galleries, museums, community centers, dance, art or music studios.
- (7) Vocational, trade or business schools and similar uses.
- (8) Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.
- (9) Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4.
- (10) Adult Congregate Living Facility (but not group care homes or residential treatment facilities).
- (11) An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises conjunction with a restaurant.
- (12) 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.
- (13) Express or parcel delivery offices and similar uses (but not freight or truck terminals)
- (14) Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
- (15) Personal property storage establishments meeting the performance development criteria set forth in Part 4.

(16) Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.

(17) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.

(18) Churches, including a rectory or similar use.

(19) Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4.

(20) Wholesaling or distributorship businesses located within a retail shopping center (but not on an out-parcel or within a stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.

(21) **Assembly of components and light manufacturing** when in conjunction with a retail sales or service establishment, conducted without outside storage or display.

(22) **Filling or gas stations** meeting the performance standards and development criteria set forth in Part 4.

(23) **Dancing entertainment establishments** not serving alcohol. This provision shall not supersede any other approvals or requirements for such use found elsewhere in this Chapter or elsewhere in the Ordinance Code.

(24) **Mobile Car Detailing Services** and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4.

(25)(25) Textile Recycling Collection Bins meeting the development criteria and performance standards set forth in Part 4, Section 656.421 (Textile Recycling Bins).



Via Email: jagerauto@gmail.com

October 16, 2023

Hunter Gaskins
Southside Euro
5942 Richard Street
Jacksonville, Florida 32216

RE: Expert opinion for a proposed automotive repair facility project to be located at 5711 Richard Street, Jacksonville, Duval County, Florida

Dear Mr. Gaskins:

It is the opinion of Michael Hotaling, MAI, Managing Partner of Moody Williams Appraisal Group, that the proposed development of a 9,125 square foot automotive repair facility on Duval County Property Appraiser's Office parcel# 153067-0100 will not negatively impact the surrounding property values or existing uses.

The parcel is currently unimproved and wooded. The planned improvements include a 9,125 square foot, state-of-the-art automotive repair facility. The building will not have the typical roll-up doors seen on many repair garages and tire stores. The service center is planned to be more consistent with a high-end dealership than a typical service center.

Based on the Planning Staff Report provided (dated August 17, 2023), the staff recommendation for denial appears to be based primarily on a lack of adequate parking and a lack of proposed "screening noise attenuation or buffering to adjacent uses".

Within the staff report, Page 5, Part C, Item 10 states the following:

"The application indicates the proposed development will have space for 20 vehicles to be stored inside the building and 8 spaces outside for a total of 28 spaces. Section 656.604 (f) Auto repair requires one space per 200 square feet of gross floor area. Based on 9,125 square foot building, the Zoning Code requires 46 spaces. This is a difference of 18 spaces."

Within the supplemental section of the staff report (page 28 of the PDF document), a site plan is shown which appears to indicate a total of 36 proposed parking spaces



including 22 inside spaces and 14 asphalt paved spaces. Overall, the proposed parking ratio appears to be generally in line with parking in the area for similar-use properties; particularly when considering the high-end nature of the clientele and that approximately one-half of the required spaces will be facilitated within the structure, rather than being provided in an outdoor parking area. The use of indoor parking also partially offsets the need for a large landscape buffer from surrounding uses.

The proposed landscape buffer is approximately 10+ feet and fully surrounds the property on three sides. Additionally, the planned location of the proposed building, near the southwestern corner of the site, and the proposed retention pond along the eastern boundary, in addition to the 10-foot landscape buffer will serve to attenuate noise and serve as a visual buffer. The neighboring office property has existing landscaping/signage along its southern boundary; a boundary that is shared along with an ingress/egress driveway easement that passes between Richard Road and Cagle Road.

The uses immediately surrounding the subject site are as follows:

- North: Multi-tenanted Office building
- South: Industrial Warehouse/Distribution with additional flooring tenant
- East: Multifamily property (conversion from former motel use)
- West: Multitenant Flex Warehouse property

There is currently a wide mix of uses in the subject's location south of University Boulevard, north of Bowden Road, west of Interstate 95, and east of Philips Highway (US Highway 1), which range from single-family uses to diesel truck repair. The two most prominent uses in the immediate area are retail uses including fast food restaurants (Burger King and Dunkin'), Wawa convenience store with gas sales, InstaLoan, Inserction (adult novelty store), and light industrial uses including Trad's Pest Control, Restore 24 (home cleaning), and Florida Detroit Diesel-Allison.

It is also noted that the proposed automotive repair shop use appears to be legally permitted use within the current CCG-1 zoning of the site, except that the owner-operator is not now, and is not proposed to be a franchise-branded facility. The business operator has outgrown his current facility that services many luxury and exotic automobiles, which is a growing need in the Jacksonville market area given the rapid population growth in the area over the past several years and evidenced by the introduction of a franchised dealership facility (Bentley, Maserati, and Alpha Romeo). Additionally, one of the two Mercedes Benz dealerships is in the planning stages of an expansion of its facilities and the Jaguar, Land Rover, and Porsche dealerships all received new larger facilities.



In summary, the denial of the PUD zoning request appears to have been based on erroneous, or outdated site plan data, and more specifically the construction style for the building which will omit the typical side-entry doors seen on inferior repair facilities in favor of a high-end appearance consistent with the repair of luxury vehicles including landscape buffers. Additionally, should be obvious to anyone who drives around the area surrounding the subject that the proposed use is not only compatible with the surrounding uses but is a necessary use within the Jacksonville market area due to the rapid growth in Duval and the neighboring counties.

Respectfully submitted,

MOODY WILLIAMS APPRAISAL GROUP, LLC

A handwritten signature in blue ink, reading "Michael Hotaling". The signature is written in a cursive style with a long, sweeping underline.

Michael Hotaling, MAI
Managing Partner
State-Certified General
Real Estate Appraiser RZ3226