

Introduced by: Councilman Kinsey  
1st Reading: July 6, 2004  
2nd Reading: July 19, 2004

**ORDINANCE NO. 2004-7877**

**AN ORDINANCE ESTABLISHING A *REDEVELOPMENT DISTRICT: RD* ZONING DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER THE JACKSONVILLE BEACH LAND DEVELOPMENT CODE, CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY.**

**WHEREAS**, the City Council of the City of Jacksonville Beach, Florida, heretofore enacted and established a Land Development Code and Zoning Atlas for said City; and

**WHEREAS**, the owners of certain lands more particularly described herein have applied to the City Council for rezoning of those lands from *Central Business District: CBD* to *Redevelopment District: RD*.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF JACKSONVILLE BEACH, FLORIDA:**

**SECTION 1.** That the Land Development Code and Zoning Atlas previously adopted by the City Council of the City of Jacksonville Beach, Florida, be and the same is hereby amended and, as amended, shall henceforth read as follows:

That all of the certain territory in the City of Jacksonville Beach, Florida, described as follows, to wit:

Lots 1 through 12, Block 53, *Pablo Beach Improvement Company's Replat* subdivision, as recorded in Plat Book 5, Page 66 of the current public records of Duval County, Florida, together with the 12-foot wide alley in said Block 53 (closed by City of Jacksonville Beach Ordinance No. 7272 and City of Jacksonville Beach Ordinance No. 97-7720), subject to an easement over the westerly seven (7) feet of said alley in favor of the City of Jacksonville Beach, Florida.

Heretofore zoned as *Central Business District: CBD*, be and the same is hereby designated as *Redevelopment District: RD*, so that henceforth the same shall be classified and construed to be embraced within the meaning and subject of the general provisions of the *Redevelopment District: RD* zoning category as provided in Article VII, Section 34-347 of the Jacksonville Beach Land Development Code (Chapter 34 of the Code of Ordinances of the City of Jacksonville Beach, Florida), subject to the following additional limitations:

- A. The rezoning application dated May 11, 2004 including project narrative dated April 27, 2004, attached hereto as Exhibit A, and Preliminary Site Plan dated April 27, 2004, attached hereto as Exhibit B, which have been submitted to the City of Jacksonville Beach Planning and Development Department, are hereby adopted and incorporated as a part of this amendment to the Jacksonville Beach Land Development Code and Zoning Atlas.

B. The project shall be generally carried out in accordance with the presentments of the rezoning application, project narrative and preliminary development plan, including but not limited to the following:

1. Maximum building height -54'
2. Permitted structures shall be set back a minimum of 70' from the 3<sup>rd</sup> Street right-of-way, and a minimum of 17' from the 2<sup>nd</sup> Street right-of-way. There shall be no minimum building setbacks along 3<sup>rd</sup> And 4<sup>th</sup> Avenues North.
3. A minimum of 148 off-street parking spaces shall be provided.

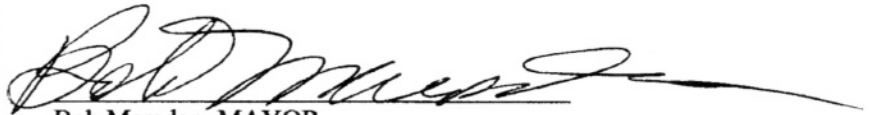
C. Permitted uses shall be limited to a maximum of 58 multifamily residential condominium units, plus a maximum of 8,000 g.s.f. of ground floor commercial Shopping Center space. Permitted uses within the commercial portion of the development shall be limited to the permitted uses of the *Central Business District: CBD* district, pursuant to Land Development Code (LDC) Sec. 34-345(b), less and except for the following uses:

1. Automotive rental and leasing
2. Motion Picture theaters.
3. Amusement and recreation service establishments.
4. Those uses specifically prohibited within *Redevelopment District: RD* zoning districts pursuant to Land Development Code Sec. 34-347(c)(3)i.2.ii.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent the same may be in conflict, hereby repealed.

**SECTION 3.** This ordinance shall take effect upon its adoption.

AUTHENTICATED THIS 19<sup>th</sup> DAY OF July, 2004.

  
Bob Marsden, MAYOR

  
Heidi Reagan, CITY CLERK

CITY OF JACKSONVILLE BEACH, FLORIDA  
APPLICATION FOR REZONING/TEXT AMENDMENT

File No. 04-106189

Case No. R20-04

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights on any person, but to make necessary adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be made except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include the appropriate filing fee as required by City Ordinance.

APPLICANT INFORMATION

Land Owner's Name:

Telephone No.:

Mailing Address:

SEE ATTACHED

Applicant's Name:

Telephone No.:

Mailing Address:

SEE ATTACHED

Note: Written authorization from the land owner is required if applicant is not the owner.

Agent's Name:

Telephone No.:

Mailing Address:

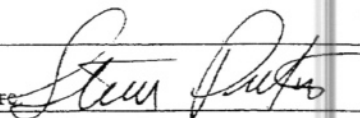
SEE ATTACHED

On a separate sheet, please provide the name, address and telephone no. for any other land use, environmental, engineering, architectural or other professional consultants assisting with the application.

REZONING OR TEXT AMENDMENT INFORMATION

Required Information	Attached?		
	Yes	No	N/A
1. For a rezoning application, the street address and legal description of the land on which the amendment is proposed to occur, with attached copies of any instruments referenced, such as, but not limited to, deed, easements, plats, covenants and restrictions.	X		
2. A copy of the relevant Duval County Property Assessment map, showing the exact location of the land proposed for amendment, with the boundaries clearly marked.	X		
3. An 8 1/2 inch by 11 inch vicinity map locating the property proposed for amendment.	X		
4. An aerial photograph that is less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked.	X		
5. A description of the current zoning district designation in the LDC, and the Future Land Use Map designation in the Comprehensive Plan, of the land proposed for amendment.	X		
6. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map, and an explanation of why it complies with the standards governing a rezoning in the LDC.	X		
7. For a LDC text amendment, include the Chapter, Article, Section, Paragraph Numbering and current text of the Section or Sections proposed to be changed, and the full text of the proposed amendment, the proposed text amendment submittal must include a cover letter containing narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements.			X

Applicant's Signature



Application Date

5/11/04

## **Application for Rezoning**

Project:

April 27, 2004

### **Pier Point Condominiums, Jacksonville, Beach, FL**

1. The names, addresses, and telephone numbers of the owners of record of the land proposed for development.

Proctor Hardware, Inc. (as successor by merger to Proctor Investments, Inc. where applicable)  
219 4th Ave North  
Jacksonville Beach, FL 32250  
(904) 993-9134

2. The name, address, and telephone number of the developer, if different from the owner, and an explanation of the difference.

Joint Venture:

Steve Proctor  
219 4th Ave North  
Jacksonville Beach, FL 32250  
(904) 993-9134

Bill Evans  
Capital Partners  
One Independent Dr  
Suite 114  
Jacksonville, FL 32202  
(904) 356-1978

3. The name, address, and telephone number of the agent of the applicant, if there is an agent.

Jack Diamond, FAIA (Architect)  
Thomas Hurst, AIA (Architect)  
Rink Reynolds Diamond Fisher Wilson, PA  
1301 Riverplace Blvd  
Suite 500  
Jacksonville, FL 32207  
(904) 396-6353

4. The name, address, and telephone number of the all land use, environmental, engineering, economic, or other professionals that are assisting with the application.

Jack Diamond, FAIA (Architect)  
Thomas Hurst, AIA (Architect)  
Rink Reynolds Diamond Fisher Wilson, PA  
1301 Riverplace Blvd  
Suite 500  
Jacksonville, FL 32207  
(904) 396-6353

Gary Abbey  
Abbey Civil Engineers  
2046 Cherokee Dr.  
Neptune Beach, FL 32266  
(904) 247-1733

T.R. Hainline, Esq.  
Lynda Aycock, Esq.  
Wyman R. Duggan, Esq.  
Rogers Towers  
1301 Riverplace Blvd  
Suite 1500  
Jacksonville, FL 32207  
(904) 346-5531

5. The name, address and legal description of the land on which the preliminary development plan is proposed to occur, with attached copies of any instruments referenced, such as but not limited to deeds, plats, easements, covenants and restrictions.

Property Address:

219 4<sup>th</sup> Ave North  
Jacksonville Beach, FL 32250

Legal Description

Lots 1-12, Block 53, Pablo Beach Improvement Company's Replat, as recorded in Plat Book 5, page 66, current Public Records of Duval County, Florida, together with the 12 foot alley in said Block 53 (closed by City of Jacksonville Beach Ordinance No. 7272 and City of Jacksonville Beach Ordinance No. 97-7720), subject to an easement over the westerly seven (7) feet of said alley in favor of the City of Jacksonville Beach.

Being further described by the following parcel numbers:

PARCEL #174096-0000  
PARCEL #174100-0000  
PARCEL #174101-0000  
PARCEL #174099-0000  
PARCEL #174097-0000  
PARCEL #174098-0000  
City of Jacksonville Beach, Florida

6. A copy of the relevant Duval County property assessment map showing the exact location of the land proposed for development with the boundaries already marked.

See Attached

7. An 8.5" x 11" vicinity map locating the proposed land for development.

See Attached

8. A statement of the planning objectives to be achieved by the planned redevelopment activity and its consistency with the Jacksonville Beach Community Redevelopment Plan. The statement shall include a detailed description of the character of the proposed development, including information relative to the architectural style of the proposed development.

This proposed development, bounded by 2<sup>nd</sup> and 3<sup>rd</sup> Streets and 4<sup>th</sup> and 5<sup>th</sup> Avenues North, is currently occupied by the Proctor Ace Hardware Store. This existing property has a surface lot facing 3<sup>rd</sup> Street and contains retail establishments, a storage yard, and greenhouse structures built to the south, north, and east property lines. These buildings will be demolished to accommodate the new building plans. The existing property has minimal landscaping and is accessed directly from 3<sup>rd</sup> Street as well as from 4<sup>th</sup> Avenue North and 5<sup>th</sup> Avenue North. It has a blank façade facing 2<sup>nd</sup> Street and 5<sup>th</sup> Avenue North made of industrial metal siding and/or painted concrete block. Chain link fencing fronts a portion of 4<sup>th</sup> Avenue North and 2<sup>nd</sup> Street.

The existing uses of surrounding buildings include retail, art gallery, nightclub as well as other residential structures of varying age and styles. There are also numerous vacant properties in the near vicinity. The buildings existing or under construction along the ocean two blocks east are predominantly 8 to 12 stories in height. The Metropolitan, a mixed-use development being built one block away, is 9 stories and approximately 115 feet tall.

The proposed mixed-use development is designed to blend cohesively with and complement the existing neighborhood, specifically the Johnson Gallery directly to the east. The proposed development is primarily residential in nature (with 58 condominium units) with an additional 8,000 s.f. of commercial space on the ground floor. One objective of the project is to support the City's goal of developing a downtown "core" area with a facility that will promote public activities and business development.

The design of the building is sympathetic to the scale of the surrounding buildings. For instance, the parking garage is concealed on 2<sup>nd</sup> Street by two-story townhomes, creating a friendly pedestrian environment. The scale of the townhomes, in addition to steps in the building's roofline, break down the perceived mass of the overall condominium building into smaller components. The materials are designed to be consistent with the Johnson Gallery, with stucco, metal roofs, and exposed cypress pergola members, giving warmth and visual interest to the façade.

A pool deck is provided on the second level of the building, sitting above the garage. This will provide for a nicely landscaped courtyard and a pleasing view from above and also provides visual interest from 3<sup>rd</sup> Street. There is also a Cabana for residents' use adjacent to the pool, which will include restrooms and a public Club Room.

Access to the parking lot is from 4<sup>th</sup> and 5<sup>th</sup> Avenues North rather than from 3<sup>rd</sup> street to allow for easier traffic flow in and out. This is consistent with the existing traffic pattern already established on the site. The parking garage is also entered from 4<sup>th</sup> Avenue North. The traffic volume in and out of this property is expected to be reduced roughly in half from the existing use, as it will change from retail to primarily residential.

The site plan allows for generous yard areas around the parking lot and building to allow for sufficient plant material to mask the parking lot from 3<sup>rd</sup> Street and also create a residential feeling around the building.

The building's residential entry lobby faces 4<sup>th</sup> Avenue North, which also serves as the point of entrance for the J. Johnson Gallery next door. This street also extends to the new city pier, under construction.

The commercial storefronts are designed to be visible from 3<sup>rd</sup> Street as well as 4<sup>th</sup> Avenue North and 5<sup>th</sup> Avenue North. In addition, the surface parking lot and off-street parking on 4<sup>th</sup> and 5<sup>th</sup> Avenues provides for convenient access to the commercial shops, residents, and tourists.

#### Consistency w/ the Jacksonville Beach Community Redevelopment Plan

The proposed project maintains consistency with the objectives of the Jacksonville Beach Community Redevelopment Plan in several key aspects:

##### *General Objectives:*

- Aids in eliminating "blight" conditions of the surrounding area by redeveloping an existing unattractive group of buildings into a new mixed-use development.
- Support the growth of a vibrant mixed-use residential/commercial community in the downtown "core" district.



- The attractive exterior design and success in business development will stimulate and encourage standards of high quality for redevelopment of the surrounding undeveloped properties.
- The Jacksonville Beach Community Redevelopment Plan states "The area between 1<sup>st</sup> and 5<sup>th</sup> Avenues North, and between 3<sup>rd</sup> Street and the boardwalk contain the greatest concentration of physical problems. These problems include vacant land and buildings... it is also considered to provide the best opportunities..." This proposed development supports the stated goals by providing a new, attractive building that will replace an existing metal sided building and complement the surrounding structures. In addition, the commercial component will bring pedestrian activity and vibrancy to the neighborhood. This will help to establish the area around the new pier as a logical extension of the downtown commercial district.

*Economic Objectives:*

- The new development will increase the tax base in an area of the City that already is served by utility infrastructure.
- The proposed residential development will help to foster the growing mixed-use community and support the retail and other existing and new establishments.
- The proposed development will provide improved landscape, pedestrian walkways, and general infrastructure. For these reasons, it is anticipated that this redevelopment will improve the value of the surrounding properties.
- The proposed commercial component will generate a hub of activity in the neighborhood that will help to support all commercial activities. A rising tide raises all boats.
- This development specifically targets one objective of the Jacksonville Beach Community Redevelopment Plan, to provide a mixed-use building including specialty retail and residential activities in the downtown "core" area, near the new City Pier, which will certainly be a tourism destination.

*Land-Use Objectives:*

- The new development offers a mix of activities including commercial and housing.
- The new development will stabilize and enhance the residential portion of the surrounding neighborhood.
- The new building is sensitively designed to minimize the impact on adjacent properties through careful manipulation of the building's massing and height. It will be consistent with or less than the heights and scale of similar buildings in its neighborhood.
- The proposed development will enhance the streetscape of the surrounding blocks with appropriately scaled buildings, beautiful plantings and improved paving patterns and materials.

*Circulation and Parking Objectives:*

- The proposed development promotes pedestrian activity through improved paving and appropriately scaled building design.
- The primary street circulation pattern will be maintained in its current condition.
- The traffic volume in and out of this property is expected to decrease relative to its existing use, as it will change from retail to primarily residential. See the table below. The expected vehicular traffic activity will decrease to 46% of its current volume.
- The parking on the surface lot is designed to handle the capacity of the residential use. The extra spaces provided for commercial use can be used flexibly by other uses when not needed.
- Off-Street parking configuration will be modified and parking quantity will be maintained.

<b>Existing Condition (Ace Hardware)</b>			
	<b>Trips per 1,000 s.f.</b>	<b>Area (s.f.)</b>	<b>Total Daily Trips</b>
<b>Hardware Store</b>	51.29	21,900 s.f.	1,124
<b>Greenhouse</b>	36.08	8,800 s.f.	318
<b>Office Use</b>	30.00	3,000 s.f.	90
<b>Residential</b>	0	0	0
<b>Total</b>			<b>1,532 total</b>

<b>Proposed Development (Mixed-Use)</b>			
	<b>Trips per 1,000 s.f.</b>	<b>Area (s.f.)</b>	<b>Total Daily Trips</b>
<b>Commercial</b>	40.67	8,000	325
<b>Residential</b>	6.63	58 Units	385
<b>Total</b>			<b>710 total</b>

*Utility Objectives:*

- The proposed development will provide for any utility extension and/or replacement necessary for the development of the project.
- The development follows already established street and utility patterns.

*Urban Design Objectives:*

- The new development will be built to high standards and will help to foster future surrounding developments to higher quality levels.
- The proposed development promotes pedestrian activity through improved paving and appropriately scaled building design.
- The new structure is designed to blend cohesively with and complement the existing neighborhood, specifically the Johnson Gallery directly to the east.
- The design of the building is sympathetic to the scale of the surrounding buildings.

Consistency w/ the LDC applicable to RD Zoning District designation

The proposed project maintains consistency with the objectives of the Redevelopment District designation. The following represents a summary of key components of the zoning code.

*Proposed Use:*

- Primarily Multi-Family Residence (Condominiums) with a subordinate amount of commercial space.
- The proposed development is appropriate to the Jacksonville Beach Community Redevelopment Plan and is compatible with the surrounding uses. Furthermore, it does not propose one of the specifically prohibited uses listed in LDC Sec 34-347(c)(3)i.

*Future Land Use Map Designation:*

- Commercial/CBD

*Current Zoning:*



- CBD (Central Business District)

*Proposed Zoning:*

- RD (Redevelopment District), Downtown Subdistrict

*Permitted Uses:*

- 58 Residential Condominium Units
- 8,000 commercial s.f. Uses within the commercial space shall be consistent with the permitted uses in the CBD Zoning District, but shall not include those uses specifically prohibited by LDC Section 34-347(c)(3)i.

*Gross Square Footage:*

- 180,000 g.s.f., including Garage

*Net Sellable Square Footage:*

- 103,000 residential s.f.
- 8,000 commercial s.f.

*Number of Stories:*

- Four (4) levels of Residences over one (1) level of parking

*Required Setbacks all sides*

- Required to be "Consistent with the goals, objectives, and policies of the Jacksonville Beach Community Redevelopment Plan, comparable to the remainder of the planned redevelopment, and comparable to the existing and proposed development of the surrounding area."
- Therefore, 0' since surrounding buildings are built to property lines
- Front Yard (entrance) 4<sup>th</sup> Avenue N.
- Side Yards 2<sup>nd</sup> and 3<sup>rd</sup> Streets
- Rear Yard 5<sup>th</sup> Avenue N.

*Proposed Setbacks*

- Side: 70' (3<sup>rd</sup> Street) + 17' (2<sup>nd</sup> Street) = 87'
- Front: 0'
- Rear: 0'
- The proposed side yard setbacks comply with the setback requirements of the RM-2 district which allows for an extra 1 foot of height above the 35' height limit for each 2 feet of setback provided above the 40' combined setback minimum.
- We are proposing 87' of combined side yard setback.
- $87' - 40' = 47'$  .....  $47' / 2 = 23.5'$  .....  $35' + 23.5' = 58.5'$  allowable height under RM-2 zoning.
- The commercial use proposed facing 4<sup>th</sup> and 5<sup>th</sup> Avenues North is consistent with the commercial setback requirements of CBD zoning and is consistent with adjacent properties.

*Total Yard Dimension (East to West)*

- 300'

*Proposed Height of Building:*

- 54'-0"
- Measured to midpoint of highest roof pitch over habitable area.

*Quantity of Required Parking Spaces:*

- 58 Units x 2 cars/unit = 116 cars required
- 8,000 g.s.f. of commercial x 1:250 ratio = 32 cars required
- Total of 148 cars required

*Quantity of Provided Parking Spaces:*

- 71 covered in primary garage
- 63 on surface lot
- 7 covered in townhouse units
- 7 in front yard of townhouse units
- 148 total shown on this property
- 11 Off-Street Parking spaces (not counted in tabulation above)

*Acreage of Lot (Measured to Property Lines):*

- 78,923 s.f. (1.81 acres)

*Maximum allowable # of units per RD Zoning:*

- 40 per Acre = 72 (this is most restrictive)
- We are proposing 58 units which is less than the allowable limit under RD zoning.

*Lot Coverage by Building (Measured to Property Lines):*

- 43,937 / 78,923 s.f. = 56 %
- The proposed development is consistent with or provides more greenscape than the surrounding properties. It also provides more greenscape than the property in its current state.

*Lot Coverage by Building & Paving (Measured to Property Lines):*

- 43,937 + 26,538 S.F. = 70,475 S.F. = 89 %
- There is also a significant curb lawn area that is beyond the property lines. It is our intention to landscape this area to the greatest extent possible.
- The existing property (occupied by Ace Hardware, etc) is 99% covered by building and paving. The new development will greatly improve the appearance and storm drainage performance of the property.

*Signage:*

- Any signage related to the new development will be consistent with the Jacksonville Beach Community Redevelopment Plan and the standards of Article VIII, Division 4.

*Landscape:*

- Proposed landscaping will meet or exceed the goals, objectives, and policies of the Jacksonville Beach Community Redevelopment Plan and the standards of Article VIII, Division 3.

*Environmental:*

- The proposed development will meet or exceed all requirements of the Jacksonville Beach Community Redevelopment Plan and the standards of Article VIII, Division 5.

*Utility Easements:*

- Easements necessary for the orderly extension and maintenance of public utility systems shall be provided where necessary to adequately service the development.

*Adequate Public Facilities:*

- The proposed development will provide adequate applicable public facilities such as potable water, sanitary sewer, stormwater management, solid waste, park, roads, police, fire, and emergency facilities to service the facility. Furthermore, the facility will comply with the standards in Article IX of the Jacksonville Beach Community Redevelopment Plan.

9. A statement of the applicant's intentions with regard to the form of ownership contemplated for the development when construction is completed, e.g. sale or lease of all or some of the development including rental units, condominiums, or fee simple conveyance.

Residential condominium units will be sold and managed through a homeowner's association.

Commercial space is speculative and will be leased and managed by a management company. We are optimistic that this space will be attractive to restaurants and small retail establishments that will cater to residents and tourists.

10. A Description of the proposed development, including:

- i. The number and type of residential dwelling units.

58 Residential Condominiums

- ii. The approximate gross density for the residential development.

58 units / 1.81 acres = 32.0 units per acre

- iii. The amount of land and building square footages for nonresidential developments, by type of use, including any portions to be reserved for public use.

There is a total of 8,000 g.s.f. of commercial shown on the first floor of the building.

- iv. Calculations showing the total lot coverage for building and accessory uses. This includes hardscape and building.

$43,937 + 26,538 \text{ S.F.} = 70,475 \text{ S.F.} = 89 \%$

The proposed development is consistent with or provides more greenscape than the surrounding properties.

11. A concept plan showing the location of all proposed buildings, the proposed traffic circulation system, and parking facilities.

See attached plans and elevations.

12. A tentative development schedule indicating:

- i. The approximate date when construction of the development can be expected to begin.

Construction is expected to begin in late Fall of 2004.

- ii. The stages in which the development will be built and the approximate date when construction on each stage can be expected to begin.

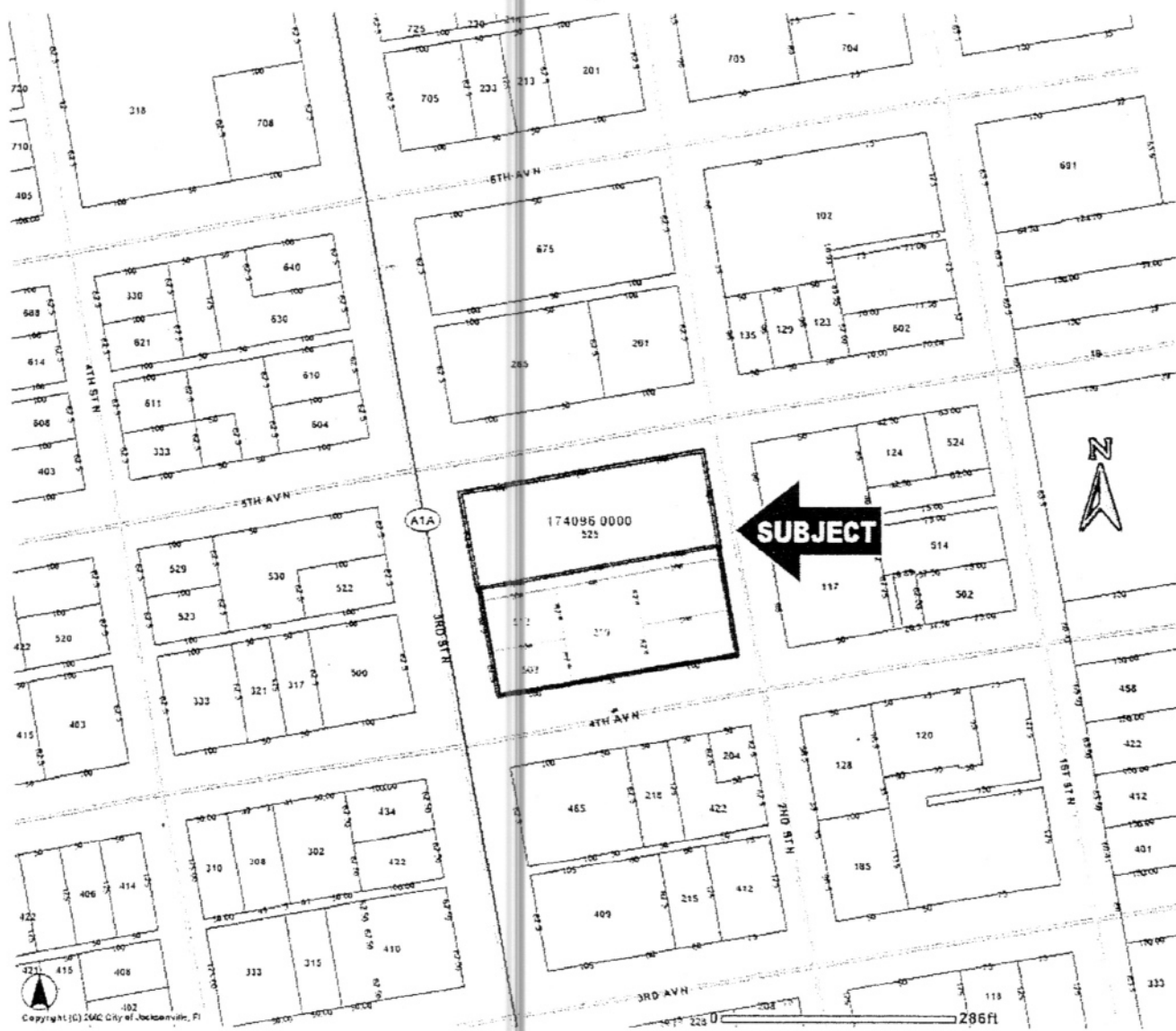
Site Preparation	November 2004
Foundations	January 2005
Vertical Construction	February 2005
Owner Occupancy	April 2006

- iii. The approximate date when each stage of development will be completed.

Site Preparation	January 2004
Foundations	February 2005
Vertical Construction	April 2006
Owner Occupancy	May 2006

Foundations  
Vertical Construction  
Owner Occupancy

February 2005  
April 2006  
May 2006



PROJECT	PIER POINT CONDOMINIUMS	COMM. NO.	DATE: 04/27/04	SHEET NO.
PURPOSE OF SKETCH	FIRST FLOOR PLAN	ISSUED FOR:	SHEET REFERENCE:	



# RINK REYNOLDS DIAMOND FISHER WILSON P.A.

architecture landscape architecture interior design



3RD STREET N. (A1A)

PARKING TABULATION (REQ'D)  
 CONDOMINIUM UNITS 58 @ 2 SPACES EACH = 116  
 COMMERCIAL S.F. 7,995 S.F. / 250 = 32  
 GRAND TOTAL 148

PARKING TABULATION (PROPOSED)  
 PRIMARY GARAGE 71  
 SURFACE LOT 63  
 INSIDE TOWNHOMES 7  
 TOWNHOME DRIVEWAY 7  
 GRAND TOTAL 148

63 SPACES TOTAL IN LOT  
 (11 ON STREET)

TOTAL LOT AREA 18,802 S.F. (1.41 ACRES)  
 CONDOMINIUM FOOTPRINT 10,963 S.F.  
 COMMERCIAL FOOTPRINT 7,995 S.F.  
 COMBINED BLDG FOOTPRINT 18,958 S.F. (1.42 AC)  
 HARDSCAPE 24,018 S.F. (2.4 AC)  
 COMBINED BUILDING, PAVING & LANDSCAPE 36,473 S.F. (2.65 AC)

4TH AVENUE N.

5TH AVENUE N.

2ND STREET N.

CARS IN TOWNHOUSE GARAGES  
 + 7 CARS IN DRIVEWAYS = 14 CARS

**FIRST FLOOR PLAN**

1"=40'-0"



## FINDINGS OF FACT

**SUBJECT:** Ordinance 2004-7877 proposing a rezoning of the block bounded by 3<sup>rd</sup> Street North on the west, 4<sup>th</sup> Avenue North on the south, 2<sup>nd</sup> Street North on the east, and 5<sup>th</sup> Avenue North on the north from Central Business District: CBD to Redevelopment District: RD, to allow the redevelopment of the existing hardware and cell telephone establishment into a mixed 8,000 s.f. commercial and 58 unit condominium project.

Pursuant to Article VI, Section 34-211(c) of the Land Development Code of the Jacksonville Beach Code of Ordinances, the City Council shall consider the adoption of an ordinance enacting an amendment to the Zoning Atlas or Code based on only one (1) or more of the following factors, provided however, that in no event shall an amendment be approved which will result in an adverse community change in which the proposed development is located.

- (1) Whether the proposed amendment is consistent with the comprehensive plan;
- (2) Whether the proposed amendment is in conflict with any portion of the LDC;
- (3) Whether and the extent to which the proposed amendment is consistent with existing and proposed land uses;
- (4) Whether and the extent to which there are any changed conditions that require an amendment;
- (5) Whether and the extent to which the proposed amendment would result in demands on public facilities, and whether and the extent to which the proposed amendment would exceed the level of service standards established for public facilities in the comprehensive plan;
- (6) Whether, and the extent to which, zoning district boundaries are not properly drawn on the official zoning atlas;
- (7) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the coastal environment;
- (8) Whether and the extent to which the proposed amendment would adversely affect the property values in the area;
- (9) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern;

- (10) Whether it is impossible to find other lands in the city for the proposed use in a zoning district that permits such use as of right.

The written submittal presented by the applicant enumerates how the proposed change complies with the standards in Section 34-211(c). Based on a review of the application, staff analysis of the information submitted, and the public hearing on the proposed project conducted on July 6, 2004, the City Council has found that the applicant has fulfilled their burden to show that the project should be approved as follows:

1. The project was reviewed and recommended to be approved by the Jacksonville Beach Community Redevelopment Agency, prior to consideration of the application by the City Council.
2. There are adequate public facilities available to serve the proposed project.
3. The project will decrease traffic from 1,532 daily trips to an anticipated 710 daily trips.
4. The redevelopment of the property will enhance traffic safety at this intersection by eliminating the curbcuts from North 3<sup>rd</sup> Street into the cell telephone office and hardware store. Ingress and egress from the property will be located on 4<sup>th</sup> and 5<sup>th</sup> Avenue North for the commercial space and condominium units, and North 2<sup>nd</sup> Street for the townhouse units. In addition, the proposed project meets the City's minimum requirements for off-street parking.
5. The proposed use of the property is consistent with the Downtown Community redevelopment Plan and the Future Land Use Element and Map for the Jacksonville Beach 2010 Comprehensive Plan.
6. The testimony presented at the Council's public hearing consisted of statements in favor of the RD zoning, and did not include any evidence to dispute that offered by the applicant.