



GROWTH MANAGEMENT DEPARTMENT STAFF REPORT
PALM VALLEY OVERLAY DISTRICT
February 22, 2023 Public Meeting
NZVAR 2022-06 Downtown Palm Valley

To: Architectural Review Committee
Staff: Trevor Steven, Planner
Date: February 22, 2023

Applicant: Joe Loretta
Halff Associates, Inc.
7807 Baymeadows Rd East, Suite 200
Jacksonville, FL 32256

Location: NW corner of N. Roscoe Blvd and Canal Blvd
FLUM: Commercial
Zoning: CG

Applicable Land Development Code Standards (LDC): LDC Part 3.06.05.A.2 & 3.06.06.A.1

Summary of Request: The applicant requests a Non- Zoning Variance to Section 3.06.05.A.2 of the Land Development Code to allow for a 30-foot setback in lieu of the required 50-foot setback for a building fronting a local or collector roadway within the Palm Valley Overlay, and to Section 3.06.06.A.1 to waive the requirement for a 20' buffer on the southern property boundary.

STAFF REVIEW

Planning & Zoning

This Variance is seeking relief from two requirements of the LDC; Section 3.06.05.A.2 and 3.06.06.A.1. The first is to reduce the minimum setback for a building above 20' in height from 50' to 30'. The second request is to waive the requirement for a 20' buffer on the southern property boundary.

The applicant has provided a proposed site plan of the property, as well as a Narrative to justify the approval of their request in accordance with LDC Section 10.04.03.B.

Applicable Land Development Code Sections

LDC Section 10.04.03 – Non-Zoning Variances To Be Considered As Part Of Development Review

A. Recommendation of Approval and Authority

2. If the non-zoning variance involves a deviation from the requirements of Part 3.06 thru Part 3.10 of the Code, the applicable overlay review board shall hear and determine whether to approve the item at a public hearing instead of the BCC. The Overlay review board must use the criteria in Section 10.04.03.B to approve a request to a non-zoning variance to the applicable overlay section. Appeals to overlay decisions may be appealed to the Board of County Commissioners pursuant to Section 9.07.04.

B. Required Findings: The Board shall not vary the requirements of any provision of this Code unless it makes a positive finding, based on substantial evidence, on each of the following:

The applicants responses are italicized.

1. There are practical difficulties in carrying out the strict letter of the regulation.

If the LDC provisions at issue in this application were strictly carried out, certain characteristics of the property would result in a hardship to the applicant. In the case of the subject property, there are indeed practical difficulties in carrying out the requirements of the LDC. The current Land Development Code, as it pertains to frontage along collector or local roadways, requires a fifty (50) feet setback for buildings above twenty (20) feet in height. For buildings proposed on sites which adjoin an existing residential land use or residentially zoned lands, the minimum adjoining side or rear yard setback, or both, is fifty (50) feet for a building above twenty (20) feet in height. The applicant is seeking for a thirty (30) feet setback for the southern property line to be allowed in lieu of the fifty (50) feet requirement. In seeking this variance request, the objective is to provide the largest landscape buffer possible to the residential property to the north. To achieve this objective, a variance will be necessary so that specific components of the site plan can be accommodated. Because the building on the southern portion of the property is abutting a Right-of-Way, this variance will not result in any negative impacts or burden to adjacent properties. This variance will allow the applicant to preserve as many existing trees as possible near the northern property line. Furthermore, with the 2-story building placed to the south the property is able to have an efficient parking lot design.

2. The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.

This variance request is based solely on practical limitations that are found in the existing condition of the property (described in the response above) and do not relate whatsoever to a desire to reduce the cost of developing this site.

3. The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.

This proposed variance does not create substantial increased congestion on surrounding public streets, create a danger of fire or other hazard to the public. This property would be allowed 26,400 SF of air conditioned space as a part of the overlay requirement of 10,000 SF per acre development. This development includes 16,081 SF of conditioned space and then 6,212 square feet of non-conditioned space or a total of 22,293 square feet of construction, which represents a 16% reduction on the overall allowable

square footage. The overall project has been designed to include two primary points of ingress and egress, thus allowing traffic to flow around the property in multiple directions. Furthermore, we are showing that fire safety can easily access the site from the adjacent roadways, and/or navigate through the internal parking lot.

4. The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.

This proposed variance will not substantially diminish property values in the area surrounding the site. In fact, if approved, there will likely be an increase in property values across the surrounding area. Additionally, this variance will create a strong restaurant and commercial street frontage along Canal Boulevard to the South. The restaurants being proposed as part of this development are being designed and will be built in harmony with the essential character of the area surrounding the site. In the existing condition, the property is vacant. This variance, if approved, will enable the subject property and surrounding area to be transformed in a way that is beneficial and positive for the local community.

5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

The effect of the proposed variance is in harmony with the general intent of this code and specific intent of relevant subject area(s) of the code. In Sec. 3.06.01, objectives to be attained through the establishment of the Palm Valley Overlay District include protection of adjacent residential uses and enhancement of physical appearance through increased landscaping of public and private property. The principal objective of this variance request is to protect adjacent residential uses. As stated above, this variance will enable the applicant to establish the largest landscape buffer possible to protect the adjacent residential property to the north. Additionally, core aims of this development including enhancing physical appearance through landscaping. All additional provisions outlined in the LDC as it pertains to the Palm Valley Overlay District have been factored and accounted for in the site plan and overall development design.

Land Development Code Section 3.06.01 Purpose and Intent

The purpose and intent of establishing this overlay district is to enhance property Development within the Palm Valley Overlay District and achieve specific goals and objectives of the St. Johns County Comprehensive Plan. Objectives to be attained through the establishment of this Palm Valley Overlay District include protection of adjacent residential Uses; reduction of visual distraction through uniform Sign criteria; enhancement of physical appearance through increased landscaping of public and private property; clustering of complementary Uses throughout the various locations throughout the Palm Valley Overlay District; provision of architectural design guidelines within specific locations throughout the Palm Valley Overlay District; encouraging pedestrian facilities; and enhancing the appearance of Development through landscaping. These goals shall be accomplished through the establishment of special Development standards for the Palm Valley Overlay District and the review of the impact upon the safe use of the roads of this Palm Valley Overlay District; the location, character, compatibility and appearance of all proposed commercial and multi-family land Uses; and the compliance with the standards, criteria, and application requirements of this Part. The review shall be performed with the goal of determining whether a proposed plan of Development meets the goals, objectives and policies set forth in the Comprehensive Plan and the standards and criteria of this Part.

Land Development Code Section 3.07.11

A. Proposed Development shall be located and configured in a visually complementary manner with the existing terrain and vegetation of the Parcel and surrounding Parcels. Structures shall obstruct as little as reasonably practical scenic views from the main road or from existing Structures and the natural environment. Structures shall not dominate, in an incompatible manner, any general Development or adjacent Building which is substantially in compliance with this Code. This may be accomplished by the use of architectural features and/or siting of proposed Structures to reduce the appearance of excessive and inappropriate height or mass of proposed Structures.

LDC Section 3.07.05 – Minimum Yard Requirements

A. Minimum yard requirements shall be as follows:

4. Front along any other collector or local roadway: Thirty (30) feet for a Building up to and including twenty (20) feet in height; fifty (50) feet for a Building above twenty (20) feet in height.

LDC Section 3.06.06 – Buffers

A. Buffering Requirements- The minimum buffering requirements are as follows:

1. A minimum twenty (20) foot buffer from the right-of-way of the Palm Valley Overlay District Delineated Roadway except Scenic Highway A1A as described in Sec. 6.06.02.F.2.b.

LDC Section 3.06.14 – Administrative Requirements: Staff review shows there are no open comments on this application. Attached for consideration are:

Application
Site Plan
Justification

CORRESPONDENCE

Staff has received several phone calls inquiring about the scope of the proposal, none were in support or opposition.

SUGGESTED ACTION TO APPROVE

The Design Review Board may consider a motion to approve **NZVAR 2022-06 Downtown Palm Valley**, as described within the application and supporting documents provided:

1. There are practical difficulties in carrying out the strict letter of the regulation.
2. The Variance request is not based exclusively upon a desire to reduce the cost of developing the site.
3. The proposed Variance will not substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
4. The proposed Variance will not substantially diminish property values in, nor alter the essential character of, the area surrounding the site.
5. The effect of the proposed Variance is in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.

SUGGESTED ACTION TO DENY

The Design Review Board may consider a motion to deny **NZVAR 2022-06 Downtown Palm Valley**, as described within the application and supporting documents provided one or more of the following:

1. There are no practical difficulties in carrying out the strict letter of the regulation.
2. The Variance request is based exclusively upon a desire to reduce the cost of developing the site.
3. The proposed Variance will substantially increase congestion on surrounding public streets, the danger of fire, or other hazard to the public.
4. The proposed Variance will substantially diminish property values in, or alter the essential character of, the area surrounding the site.
5. The effect of the proposed Variance is not in harmony with the general intent of this Code and the specific intent of the relevant subject area(s) of the Code.



St. Johns County Growth Management Department

Application for:

Date Property Tax ID No

Project Name

Property Owner(s) Phone Number

Address Fax Number

City State Zip Code e-mail

Are there any owners not listed? No Yes If yes please provide information on separate sheet.

Applicant/Representative Phone Number

Address Fax Number

City State Zip Code e-mail

Property Location

Major Access Size of Property Cleared Acres (if applicable)

Zoning Class No. of lots (if applicable) Overlay District (if applicable)

Water & Sewer Provider Future Land Use Designation

Present Use of Property Proposed Bldg. S.F.

Project Description (use separate sheet if necessary)

We are developing a mixed-use walkable commercial development that has primary frontage along Roscoe, Canal and the Intracoastal Waterway. The property is a mixture of 3 restaurants, 2 day time and evening and one breakfast / coffee style restaurant. Please see attached shared parking analysis associated with the mixture of restaurant use types. To accommodate the uses described, we are requesting a series of non-zoning variances for (a) second floor setback requirements; and (b) landscape buffer requirements on the southern property boundary. By code, the second floor will require a 50-foot setback, and this is currently a 30-foot setback. This will allow us to provide the largest landscape buffer to the residential property to the north. For the southern property boundary, our objective is to maintain openness between the property and street to establish a strong restaurant and commercial street frontage.

Please list any applications currently under review or recently approved which may assist in the review of this application including the name of the PUD/PRD:

I understand that reasonable inspections of the subject property may be made as part of the application review process. I understand that any material misrepresentations or errors contained in this application or supporting documents may void an approved application, at the reasonable determination of the County considering the Land Development Code, Comprehensive Plan, and other applicable regulations.

I HEREBY CERTIFY THAT ALL INFORMATION IS CORRECT:
Signature of owner or person authorized to represent this application:

Signed By

Printed or typed name(s)

NOTE:

1. LIGHTING SHALL BE DOWNWARD FACING FULL CUT-OFF, NO HIGHER THAN TWENTY (20) FEET AND SHALL HAVE A MAXIMUM ILLUMINATION LEVEL OF 0.30 FOOTCANDLES AT GROUND LEVEL AT THE LOT LINE.
2. ALL PROPOSED SIGNAGE WILL BE IN ACCORDANCE WITH THE REQUIREMENTS IN LDC 3.06.09

SITE DATA	
ZONING	C-1
SITE AREA	2.64 AC.
DEVELOPMENTAL RIGHTS	26,500 SQ. FT.
BUILDING AREA	18,500 SQ. FT.
PERVIOUS SURFACE	40,500 SQ. FT.
PERCENT PERVIOUS	35% +
PERVIOUS AREA REQUIRED	40,401 SQ. FT. (35%)
RESTAURANT A SEATS	220 Seats
RESTAURANT B SEATS	200 Seats
RESTAURANT C SEATS	100 Seats
TOTAL PARKING REQUIREMENT	142*
TOTAL PARKING SPACES	144 (5 HC)
PERIMETER LS BUFFER NORTH & EAST	20'
SOUTH (FRONT) SETBACK	30'
EAST (FRONT) SETBACK	30'
NORTH (SIDE) SETBACK	30' for 1 story Bld. or 50' for 2 story Bld.
WEST (REAR) SETBACK	10'
* REFER TO ATTACHED SHARED PARKING ANALYSIS	

BUILDING DATA				
RESTAURANT	SEATS	A/C	N/C	HT.
A	220	7,454 SF	892 SF	35' MAX
B	200	6,067 SF	1,014 SF	35' MAX
I	*	0 SF	4,306 SF	35' MAX
C	100	2,560 SF	0 SF	35' MAX
* SEATING WITHIN THE INTERSTITIAL AREA ARE ALLOCATED WITHIN A & B				

NEW RESTAURANT

Project Name

PONTE VEDRA BEACH, FLORIDA

Prepared For

ROSCOE LANDING RESTAURANTS

HALFF

7807 BAYMEADOWS ROAD EAST, SUITE 200
 JACKSONVILLE, FLORIDA USA 32256
 904.730.9360 www.halff.com
 FL CA 33380 FL LC 26000645

Revision No.	Date	Description

Seal

JOSEPH P. LORETTA, P.L.A.
 License Number: 6868755

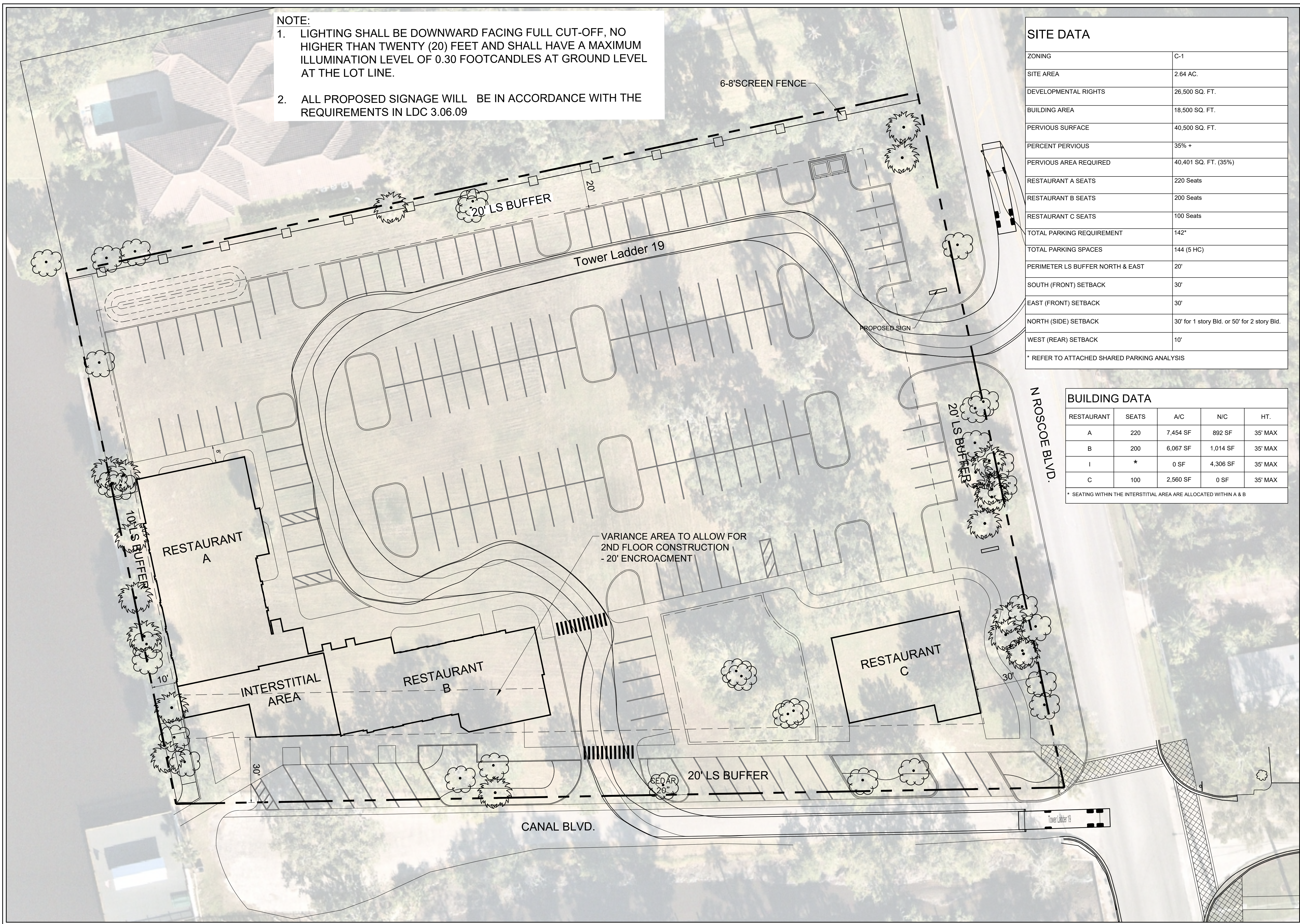
Project No.: 45216.001
 Issued: FEBRUARY 2023
 Drawn By: ASD
 Checked By: JPL
 Scale: 1"=20'

Sheet Title

SITE PLAN

Sheet Number

CSP-01



2/15/2023 3:25:38 PM Lucella Joseph P. I:\500042516\01\CAD\Plan\Valley-revised 2.8.dwg GH-JAN-LA.dwg



11/7/2022

To: Mr. Jacob Smith
Senior Planner, Growth Management Services
St. Johns County Board of County Commissioners

RE: Downtown Palm Valley Non-Zoning Variance Request

Dear Mr. Smith,

In regard to the project specified above, we are seeking two (2) non-zoning variances. These include: (1) a southern property line, second floor building setback non-zoning variance request; and (2) a southern property boundary landscape buffer non-zoning variance request.

Southern Property Line, Second Floor Building Setback Non-Zoning Variance

By code, the second floor will require a 50-foot setback, and this is currently a 30-foot setback. This will allow us to provide the largest landscape buffer to the residential property to the north. As well, this allows us to create a strong restaurant and commercial street frontage along Canal Boulevard to the South. Our design works to maintain as many existing trees as possible.

Southern Property Boundary Landscape Buffer Non-Zoning Variance

Additionally, we are also requesting a non-zoning variance for buffer requirements along the southern boundaries of the property. LDC Section 3.06.06 requires a 20-foot buffer on southern property boundary.

For the southern property boundary, our objective is to maintain openness between the property and street to establish a strong restaurant and commercial street frontage. It is our opinion that a screened landscape buffer along this portion of the property would be counterintuitive to what we are trying to accomplish. To accommodate these requirements without providing a fully screened landscape buffer that is compliant with the LDC, we propose to add enhanced plant materials to sections between the southern property boundary and Canal Street. This is depicted in the updated Site Plan and Landscape Buffer Plan.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Loretta".

Joe Loretta, PLA
Operations Manager – Halff Jacksonville