

CURRENT PLANNING DIVISION



June 2, 2014

The Honorable Clay Yarborough, President  
The Honorable Ray Holt, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report**  
**Ordinance No.: 2014-143** **Application for: Commercial Dive Academy PUD**

Dear Honorable Council President Gulliford, Honorable Council Member and LUZ Chairwoman Boyer and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission ("PC") respectfully offers this report for consideration by the Land Use and Zoning Committee ("LUZ").

• Recommendation by JPDD:  Approve  Approve with Conditions  Deny

• Recommendation by PC to LUZ:  Approve  Approve with Conditions  Deny

• PC Vote: 8-0

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Tony Robbins, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Hagan, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S. Lisa King, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nate Day	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lara Diettrich	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerry Friley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marvin Hill	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dow Peters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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● This rezoning is subject to the following exhibits:

1. The subject property is legally described in the ~~original~~ revised legal description dated ~~November 6, 2013~~ May 22, 2015.
2. The subject property shall be developed in accordance with the revised written description dated ~~May 22, 2015~~ 13, 2014.
3. The subject property shall be developed in accordance with the revised site plan dated May 22, 2015 ~~June 4, 2014~~.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated March 10, 2014 or as otherwise approved by the Planning and Development Department.

● Recommended Planning Commission Conditions\* to the Ordinance:

1. Outdoor events, gatherings, or similar activities on the property shall be prohibited from occurring between the hours of 9:00 pm and ~~7:00~~ 6:00 am.
2. The maximum number of students living on campus shall be set at 250 students.
3. The subject property shall be developed with a minimum number of parking spaces pursuant to Section 656.604 (c)(5) Vocational, trade and business schools of the Zoning Code: One space for every three hundred square feet of gross floor area. The site plan dated ~~June 5~~ June 4, 2014 depicts 78 parking spaces inclusive of leased parking under the US 17 Trout River Bridge. Based on the proposed 31,980 square feet of building (not inclusive of the storage structure between Building 2 and Building 3), the minimum required parking is 107 spaces. Leased parking spaces can be used to provide additional required parking provided that the leased spaces are within ~~400~~ 2,500 feet of the subject property or a shuttle service is implemented.
4. If leased parking spaces become unavailable, the owner shall notify the Planning and Development Department immediately and provide documentation indicating the same number of parking spaces lost can be accommodated on a newly leased site. Sufficient parking shall be provided at all times. If lost parking cannot be accommodated, the maximum student count shall be reduced by a ratio of three students per one parking space.
5. The Commercial Dive Academy shall provide copies of all current and new leases with the Florida Department of Transportation to the Planning and Development Department.
6. The Commercial Dive Academy PUD (Ord. 2014-143) cannot and does not have the legal right to prevent public access from the closed portion of Trout River Drive under the US 17 Trout River Bridge. The Commercial Dive Academy shall not have a fence prohibiting public pedestrian access via the closed Trout River Drive right-of-way under the Trout River Bridge. The Commercial Dive Academy owner shall construct and maintain a chain link fence on either side of the pedestrian access under the US 17 Trout River Bridge (Parcel 100). Said fence will also follow the Commercial Dive Academy property line on the east side of the US 17 Trout River Bridge to the City of Jacksonville Trout River Drive right-of-way. The Commercial Dive Academy

shall remove the wooden privacy fence currently erected adjacent to the embankment along the east side of US 17.

7. If a shuttle service is utilized to transport students and personnel from off-site parking, the shuttle drop-off and loading shall occur on Trout River Drive west of the US 17 Trout River Bridge.
8. The proposed off-street parking lot containing 33 spaces identified on the site plan as being located east of US 17 and south of Trout River Drive shall be completed within ~~six~~ twelve months after the enactment of the legislation approving 2014-143.
9. Within one month of the enactment of this legislation, the Commercial Dive Academy shall request in writing that the Public Works Department reinstall the weight limit signs along Trout River Drive and that "No Parking" signs be installed along the City of Jacksonville right-of-way for Trout River Drive from the eastern cul-de-sac on Trout River Drive to the east side of the US 17 Trout River Bridge.
10. At the time of PUD Verification of Substantial Compliance, a site plan showing pedestrian access on Parcel 100 and on the City of Jacksonville right-of-way shall be submitted for the review and approval of the Planning and Development Department.
11. Commercial Dive Academy students, staff, and other personnel are prohibited from parking in the public right-of-way for Trout River Drive, Sycamore Street, and other public right-of-ways in the vicinity.
12. Only Commercial Dive Academy employees can use the parking lot located east of US 17 (Main Street) and south of Trout River Drive as identified under Real Estate Numbers 032720-0000 and 032725-0000. Students of the Commercial Dive Academy are prohibited from using this parking lot.

\*Additions made by PC to the proposed Jacksonville Planning and Development Department ("JPDD") conditions are underlined and deletions are indicated with a ~~striketrough~~. If there are more than three conditions, the Ordinance should be amended.

- Recommended PC Conditions that can be incorporated into the Written Description: NONE
- PC Commentary: After extensive public comment with numerous neighbors in opposition, the first motion to approve was not seconded. A subsequent motion to deny was seconded. During debate, there were numerous questions about parking formulas, parking leases, parking overflow, enforcement issues and challenges, intensity of development, and neighborhood compatibility. After a recommendation was made to prohibit on-street parking, the motion to deny was withdrawn. A second motion to approve was seconded, and the Planning Commission voted unanimously to approve with the modified conditions listed above.


The Planning Commission also recommended that prior to the LUZ meeting, a parking model and monitoring program be developed, perhaps similar to the way schools monitor employees and students with vehicle stickers. The

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Planning Commission further recommended that LUZ consider a condition requiring that copies of all valid parking leases sufficient to show the minimum required parking be submitted to the Planning and Development Department either before permit issuance or before building occupancy.

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

Sincerely,



Bruce E. Lewis, City Planner Supervisor  
Current Planning Division  
Planning and Development Department