

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2014-267 TO

PLANNED UNIT DEVELOPMENT

MAY 8, 2014

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 Ordinance **2014-267** to Planned Unit Development.

Location: West side of Cecil Commerce Center Parkway and east of Oakleaf Plantation Parkway

Real Estate Number(s): 016411-1000, 016411-0025 and 016411-0005

Current Zoning District: Planned Unit Development (PUD 1999-804-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Parcel 5 Community General Commercial (CGC)
Parcel 10 Business Park (BP)
Community General Commercial (CGC)
Conservation (CSV)

Proposed Land Use Category: Parcel 5 Residential Professional Institutional (RPI)
Parcel 10 Residential Professional Institutional (RPI)
Conservation (CSV)

Planning District: Southwest, District 4

City Council District: The Honorable Ray Holt, District 11

Applicant/Agent: Staci Rewis, Esq.
Gunster, Yoakley & Stewart, P.A.
225 Water Street, Suite 1750
Jacksonville, Florida 32202

Owner: John Metcalf
AFI Associates, Inc.
3030 Hartley Road, Suite 300
Jacksonville, Florida 32257

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2014-267** seeks to rezone approximately 139.08 acres of land PUD to PUD. The rezoning to PUD is being sought to change the permitted uses in Parcels 5 and 10. Parcel 5 will convert from “General Commercial” to “Mixed Use”. The portion of Parcel 10 within Duval County will convert from “Business Park to “Mixed Use”. The proposed PUD will also revise the language for the “senior housing” use, incorporate changes from the NOPC in the written description and revise the site plan.

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.

(1) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC), Business Park (BP) and Conservation (CSV) functional land use categories as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. There is a companion Application for Large-scale Land Use Amendment to the Future Land Use Map Series 2013F-001 (Ordinance 2014-264) that seeks to amend the portion of Parcel 10 that is within the CGC and BP land use categories to Residential Professional Institutional (RPI). There is also a companion Application for Large-scale Land Use Amendment to the Future Land Use Map Series 2013F-002 (Ordinance 2014-265) that seeks to amend the portion of Parcel 5 that is within the CGC land use category to Residential Professional Institutional (RPI). Staff is recommending that the Applications for Large-scale Land Use Amendments to the Future Land Use Map Series 2014-264 and 2014-265 be approved. The boundaries of the CSV land use category will not change and is not affected by the proposed land use amendments. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code. A description of the category is noted below.

RPI in the Suburban Area is intended to provide low to medium density development. Development which includes medium density residential and professional office uses is preferred. Plan amendment requests for new RPI designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses.

Principal Uses: Multi-family dwellings; Office; Business and Professional Office; Institutional; Large scale institutional uses, which require supporting residential and office components; Commercial retail sales and service establishments limited to 50 percent of the site area; Live/Work Units; Financial institutions; Restaurants (without drive-in or drive-thru facilities); Off street parking lots and garages when combined with another principal use. Single-use developments shall be limited to residential or office. Single use residential developments shall be pursuant to the requirements of the Medium Density Residential (MDR) category. Mixed use developments may not include more than 90 percent of any individual use.

Secondary Uses: Secondary uses shall be permitted pursuant to the Commercial land use introduction. In addition, the following secondary uses may also be permitted: Single-family dwellings as part of a single-use or mixed used development; Veterinary Offices; and Filling stations.

Ancillary Transitional Uses: Off street parking facilities; Stormwater facilities; Open spaces. Ancillary uses may be shared between abutting RPI sites and do not count as principal uses. They may fully occupy a site designated RPI only when the RPI serves as a transition between more and less intense uses, and the facilities are ancillary to the function of one of the adjacent uses; provided, however, that off street parking facilities in the RPI land use category shall only serve primary uses also in an RPI land use category.

The maximum gross density within the Suburban Area shall be 20 units/acre and there shall be no minimum density; except that Transit-Oriented Development (TOD) shall provide a minimum gross density of 15 units/acre; and may increase the maximum gross density by an additional 10 units/acre. However, where this land use category has been established by a small scale land use amendment, the maximum density shall be ten units per acre or less for any residential component unless this amendment meets the requirements of Section 163.3187(1)(c)1.f., Florida Statutes.

(2) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

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

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

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 2030 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): Business Park (BP), Community General Commercial (CGC) and Conservation (CSV). There are companion Applications for Large-scale Land Use Amendment to the Future Land use Map Series 2013F-001 (2014-264) and 2013F-002 (2014-265) that seeks to amend the portion of land that is within the BP and CGC land use categories to RPI. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

F.L.U.E. Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

F.L.U.E. Objective 1.1 Ensure that the type, rate and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

F.L.U.E. 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.

F.L.U.E. 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.

F.L.U.E. Policy 1.1.24 The City will encourage new development to locate in the Urban Core, Southwest, North, and Northwest planning districts through such measures as economic incentives, greater marketing assistance, etc.

F.L.U.E. 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.

F.L.U.E. Policy 3.4.2 The City will evaluate opportunities to promote and encourage development and redevelopment opportunities for mixed and multi-use projects. The Land Development Regulations should be amended, as appropriate, to incorporate such incentives.

(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 mixed use development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors with specific reference to the following:

Since there is no specific site plan, any proposed developed will be reviewed pursuant to Part VI, Performance Standards contained in the PUD Written Description during the Verification of Substantial Compliance.

The existing Mixed Use district of the PUD includes the sale and service of alcohol for on and off premises consumption. Maintaining the proper scale of a use is important when distinct, different uses are adjacent to each other. **The Department recommends including from the CRO Zoning District the seating limitation on restaurants.**

Restaurants, including the facilities for the sale and service of all alcoholic beverages for on-premises consumption only, subject to the following condition: (i) Seating shall not exceed a capacity of 60; provided, that seating may be unlimited where total floor area of the restaurant does not exceed ten percent of the gross floor area of the building of which it is a part.

(5) External Compatibility

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

The type, number and location of surrounding external uses: The proposed development is located in an area where residential, office, commercial and institutional uses will function as a mixed-use development. Development at this location will complement the existing and proposed office, commercial and residential uses in the immediate area.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

| Adjacent Property | Land Use Category | Zoning District | Current Use |
|--------------------------|-------------------------------|------------------------|--------------------|
| North | CGC | PUD (99-804) | Undeveloped |
| South | Clay County | | Undeveloped |
| East | Cecil Commerce Center Parkway | | |
| West | PBF | PUD (99-804) | Undeveloped |
| | ROS | PUD (99-804) | Undeveloped |

(6) Intensity of Development

The proposed development is consistent with the RPI functional land use category as a multi-use development. The PUD is appropriate at this location because it will support the existing and proposed offices, commercial and service establishments and residential in the area.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space and recreation area pursuant to the PUD.

(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 identify wetlands on-site. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(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 site will be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on April 28, 2014, the required Notice of Public Hearing sign was posted.

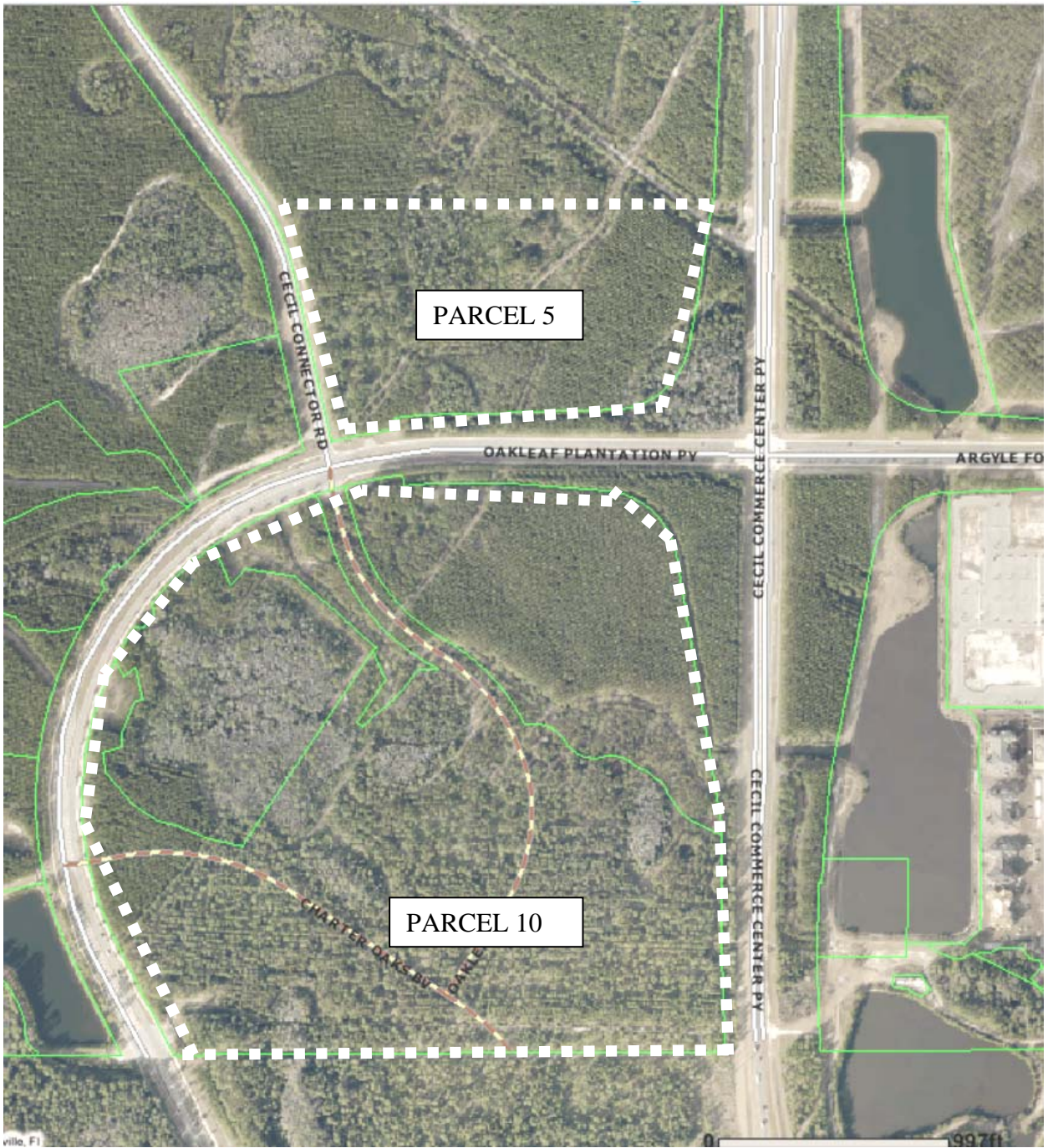


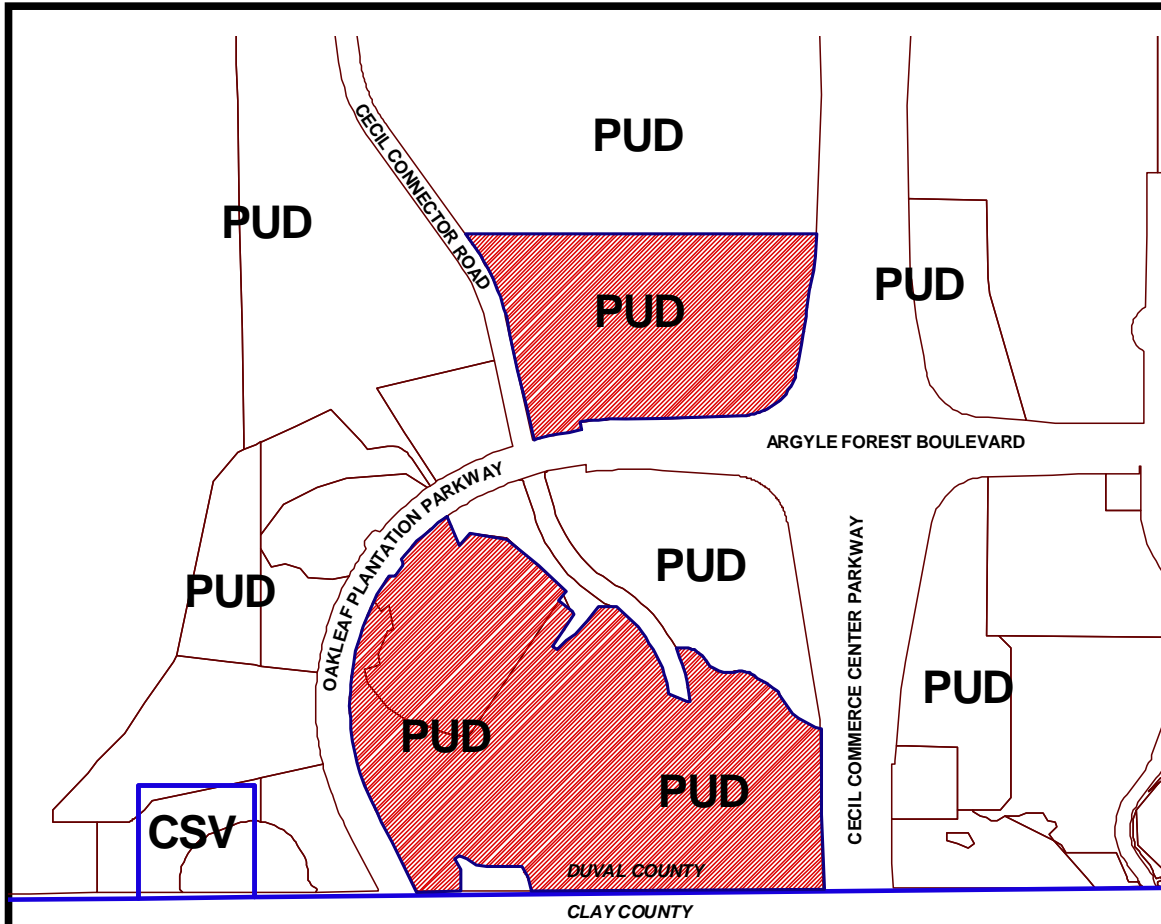


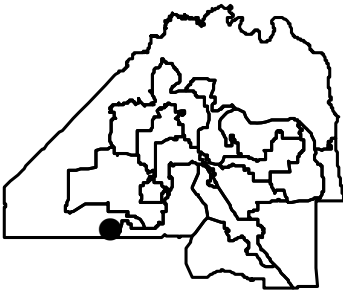


RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2014-267 be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated October 30, 2014.
2. The subject property shall be developed in accordance with the original written description dated December 9, 2013.
3. The subject property shall be developed in accordance with the original site plan dated March 28, 2014.
4. Restaurants, including the facilities for the sale and service of all alcoholic beverages for on-premises consumption only, shall not exceed a seating capacity of 60; provided, that seating may be unlimited where total floor area of the restaurant does not exceed ten percent of the gross floor area of the building of which it is a part.





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|----------------------|--|---|
| REQUEST SOUGHT: |  |  |
| FROM: PUD | | 100 Feet  |
| TO: PUD | COUNCIL DISTRICT: 11 | |
| ORDINANCE _2014_0267 | | FILE COPY |