

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2014-0416 TO

PLANNED UNIT DEVELOPMENT

AUGUST 7, 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 **2014-0416** to Planned Unit Development.

Location: 9107 Galveston Avenue
West of the intersection of Mill Creek Road and Galveston Avenue.

Real Estate Numbers: 143901 0000

Current Zoning District: Residential Medium Density-A (RMD-A)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Medium Density Residential (MDR)

Proposed Land Use Category: Community General Commercial (CGC)

Planning District: Greater Arlington and the Beaches, District 2

City Council District: The Honorable Bill Bishop, District 2

Applicant/Agent: William Randall Gallup
Concurrency Management Consultants, Inc.
P.O. Box 8883
Jacksonville, Florida 32239

Owner: Dennis Abercrombie
13726 Bermuda Cay Court
Jacksonville, Florida 32225

Staff Recommendation: **DENY**

GENERAL INFORMATION

Application for Planned Unit Development **2014-416** seeks to rezone approximately 0.29± acres of land from RMD-A to PUD. The rezoning to PUD is being sought for the purpose of developing an indoor storage building for personal recreational vehicles and an attached security office, and other uses in the CCG-1 Zoning District. The property is currently undeveloped. The proposed structure will be a maximum of 35 feet in height and no indicated maximum lot coverage. Three (3) garage bay doors will face Galveston Avenue along with a small parking lot for 2 vehicles and one handicap parking space in front of the building with one access point onto Galveston Avenue. The PUD excludes several uses that would otherwise be permitted in the CCG-1 Zoning category such as banks, hotels, wholesaling, filling or gas stations, and dancing establishments not serving alcohol. However, professional business offices, community centers, retail plant nurseries, off street parking lots, assembly and light manufacture would be permitted in this PUD. Permanent or restricted outside sales, service garages for minor and major repairs, and retail sales including outside display are permissible uses by exception allowed in this PUD.

The project is located with the Woodland Acres Neighborhood Action Plan and is a part of the Woodland Acres Land Use and Zoning Study area.

There is a companion Application for Small Scale Land Use Amendment to the Future Land Use Map Series of the 2030 Comprehensive Plan, **Ordinance 2014-0415 (Application 2014C-007)** requesting to change the functional land use category of the subject property from Medium Density Residential (MDR) to Community General Commercial (CGC). The Planning and Development Department has submitted its report on the companion Small-Scale Land Use Amendment 2014C-0007 and recommends that the same be **denied**.

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?

No. When applying the criteria of consistency with the 2030 Comprehensive Plan, the combined factors of the goals, objectives and policies of the plan along with the appropriate Functional Land Use Categories are used. According to the Category Descriptions for the Urban Priority Development Areas of the FLUE, the MDR future land use category is intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and row houses should be the predominant development typologies in this category. MDR is

generally intended to provide transitional uses between commercial and single family residential uses.

The CGC Future Land Use Category is intended to provide compact development which should generally be developed in nodal and corridor development patterns while promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment. Development that includes residential uses is preferred to provide support for commercial and other uses. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services and which abut a roadway classified as an arterial or higher on the Functional Highway Classification Map. Mill Creek Road is classified as a local road.

The property subject to the proposed amendment is located on Galveston Avenue, which is classified as a local road, and the subject property is connected to another CGC designated property which has frontage on Mill Creek Road, also a local road. Therefore, the proposed amendment is not consistent with the CGC Future Land Use Category preference for new designations to be in locations which abut roadways classified as arterial or higher. Additionally, the amendment does not present a situation where expansion of the CGC district constitutes infill development or redevelopment in a manner that promotes the revitalization of an existing commercial district as called for in the CGC Future Land Use Category.

The proposed use has negative impacts on the existing neighborhood by not buffering the existing residential homes to the west and north. There will be no transition of scale between the business and existing homes thus not meeting the intent of Policy 3.1.3. 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 2030 Comprehensive Plan.

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

No. 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?

No. The written description and the site plan of the intended plan of development meet all portions of the City's land use regulations while providing specific development standards.

Furthermore, 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 as follows:

(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): Medium Density Residential (MDR). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2014C-007 (Ordinance 2014-415) that seeks to amend the portion of land that is within the MDR land use category to CGC. This proposed rezoning to Planned Unit Development is **not consistent** with the 2030 Comprehensive Plan in reference to the following goals, objectives and policies:

This proposed rezoning to Planned Unit Development is not consistent with the 2030 Comprehensive Plan including the following goals, objectives and policies:

Policy 2.2.4 Maintain existing stable neighborhoods through coordinated rehabilitation and conservation action by the Building Inspection Division and Planning and Development Department. Protect residential areas from encroachment by incompatible land uses through proper zoning, and from through or heavy traffic by use of buffers and other mitigating measures.

Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

Policy 3.1.20 The City shall recognize and maintain neighborhoods through the development and implementation of district plans and/or neighborhood plans, which identify the needs of the City's neighborhoods and the opportunities to improve and maintain those neighborhoods in light of continued growth and development pressures within and surrounding them.

Policy 4.1.8B The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

Therefore, proposed rezoning to Planned Unit Development, is **not consistent** with the 2030 Comprehensive Plan, and does not further the following goals, objectives and policies contained therein.

(2) Consistency with the Concurrency and Mobility 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 Office (CMMSO) prior to development approvals. The City Development Number is 8968.000.

(3) Allocation of residential land use

This proposed Planned Unit Development does not intend to utilize lands for residential use.

(4) Internal compatibility

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

The use of existing and proposed landscaping:

The Written Description states that the project will be required to meet the minimal standards set forth in Section 656, Part 12.

Traffic and pedestrian circulation patterns:

The property will be accessed through one point of access on Galveston Road. The Development Services Division (see attached memorandum dated February 19, 2014) did not recommend any specific access management or transportation improvements.

The use and variety of building setback lines, separations, and buffering:

Applicant proposes a 5 foot setback from both side yard property lines and 10 feet from rear property line. The property abuts single-family residential homes to the west (side yard) and north (rear yard). The adjacent property is zoned RMD-A, which requires a 5 feet minimum side yard setback. The existing home is 5 feet away from the property line which means that the home will be 10 feet from a maximum 35 feet tall warehouse structure that does not resemble a single-family home.

A warehouse owned by the same property owner as this proposed PUD is located east (side yard) of the subject property.

The use and variety of building sizes and architectural styles:

The applicant proposes to construct a single story; metal panel and split face block warehouse and storage building with three roll-up bay doors that faces Galveston Avenue. The proposed building is not consistent with the aesthetic character of the adjacent single-family residential neighborhood and is both a visual and functional commercial intrusion into the neighborhood.

Signage:

Wall signage is permitted, but the applicant does not set a maximum allowable square footage. One under the canopy sign is permitted not to exceed a maximum of 8 square feet is permitted. No monument or pylon style signage is proposed.

(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 not achieved by the following:

The type, number and location of surrounding external uses: The proposed development is located on a local road with access to Galveston Avenue and just west of Mill Creek Road. There is commercial property to the east zoned CCG-1 developed with a small warehouse and storage facility. Directly north and west are existing single-family homes and directly south is an undeveloped residential parcel. The proposed use has negative impacts on the existing neighborhood by not buffering the existing residential homes to the west and north. There will be no transition of scale between the business and existing homes thus not meeting the intent of Policy 3.1.3.

The City recognizes the development pressures within and surrounding this neighborhood. The Planning Department initiated a neighborhood plan for this area identifying the needs of the neighborhood. FLUE Policies 3.1.20 and 4.1.8B states that proposed amendments to the Comprehensive Plan should comply with the area's vision plan and any existing neighborhood plans and studies. The Plans identify the opportunities to improve and maintain those neighborhoods. In light of those studies the proposed amendment is inconsistent with these policies

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(s)
North	MDR	RMD-A	Single-family
East	CGC	CCG-1	Warehouse/Storage
South	CGC	CCG-1	Warehouse/Storage
West	MDR	RMD-A	Single-family

6) Intensity of Development

The PUD is inappropriate at this location with specific reference to the following:

The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD:

The proposed amendment is inconsistent with the Woodland Acres Neighborhood Plan Study and the Land Use and Zoning Study. A proposed zoning plan for Woodland Acres was developed in 1978 to "better suit the community's needs". One of the stated reasons was to discourage encroachment of commercial use.

The Woodland Acres Land Use and Zoning Study (2007) echoes the sentiments of the earlier

study. The 2007 study states:

Given the mix of uses in the census tract encompassing the study area, Woodland Acres is sufficiently served by commercial acreage without any changes to existing land use designations. The commercial development needs to be built so as to be a good neighbor to residential development because of the location of commercial land use categories adjacent to residential categories. (Page 20)

The Department is recommending that land use amendments not be supported in the Woodland Acres area, unless they can be determined to enhance neighborhood character and be consistent with the guidelines and findings of this Study. (Page 21)

The Planning and Development Department recognizes the development pressure within the Woodland Acres study area. Woodland Acres has the opportunity to be developed and redeveloped into a walk-able community that provides the residents different types of housing, schools, retail and recreational uses.

The existing residential density and intensity of use of surrounding lands:

The use is inconsistent with the residential density and intensity of surrounding lands. Encroachment in this established residential neighborhood sets a precedent for further CGC encroachment. The proposed amendment is inconsistent with the adjoining land uses, is not an appropriate infill location, and is not a part of a mixed used or multi use development. Therefore it is inconsistent with FLUE Policy 2.2.4.

The availability and location of utility services and public facilities and services:

Water, sewer, and electric will be provided by JEA.

(7) Usable open spaces plazas, recreation areas.

There is no residential component to the development. No recreation area is required.

(8) Impact on wetlands

Surveying of a 1995 Geographical Information Systems shape file did not identify any wetlands on-site. 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 is required to be developed in accordance with Part 6 of the Zoning Code. The submitted site plan dated May 6, 2014 shows handicap and off-street parking in front of the

proposed building.

(11) Sidewalks, trails, and bikeways

Sidewalks are presently installed along Galveston Avenue. The Applicant does not intend to alter or enhance the existing sidewalk network along the property frontage.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on July 18, 2014, the required Notice of Public Hearing sign was posted.



Source: City of Jacksonville Planning and Development Department
Date: July 18, 2014

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2014-416 be **DENIED**.



Subject property is currently cleared and undeveloped.

*Source: City of Jacksonville Planning and Development Department
Date: July 18, 2014*



Warehouse structure to the southeast fronting both Galveston Ave. and Mill Creek Road.

*Source: City of Jacksonville Planning and Development Department
Date: July 18, 2014*



View of subject property back toward the adjacent warehouse property to the east.

Source: City of Jacksonville Planning and Development Department
Date: July 18, 2014



Adjacent single-family home to the west. Proposed storage building will be setback 5 feet from the fence line.

Source: City of Jacksonville Planning and Development Department
Date: July 18, 2014



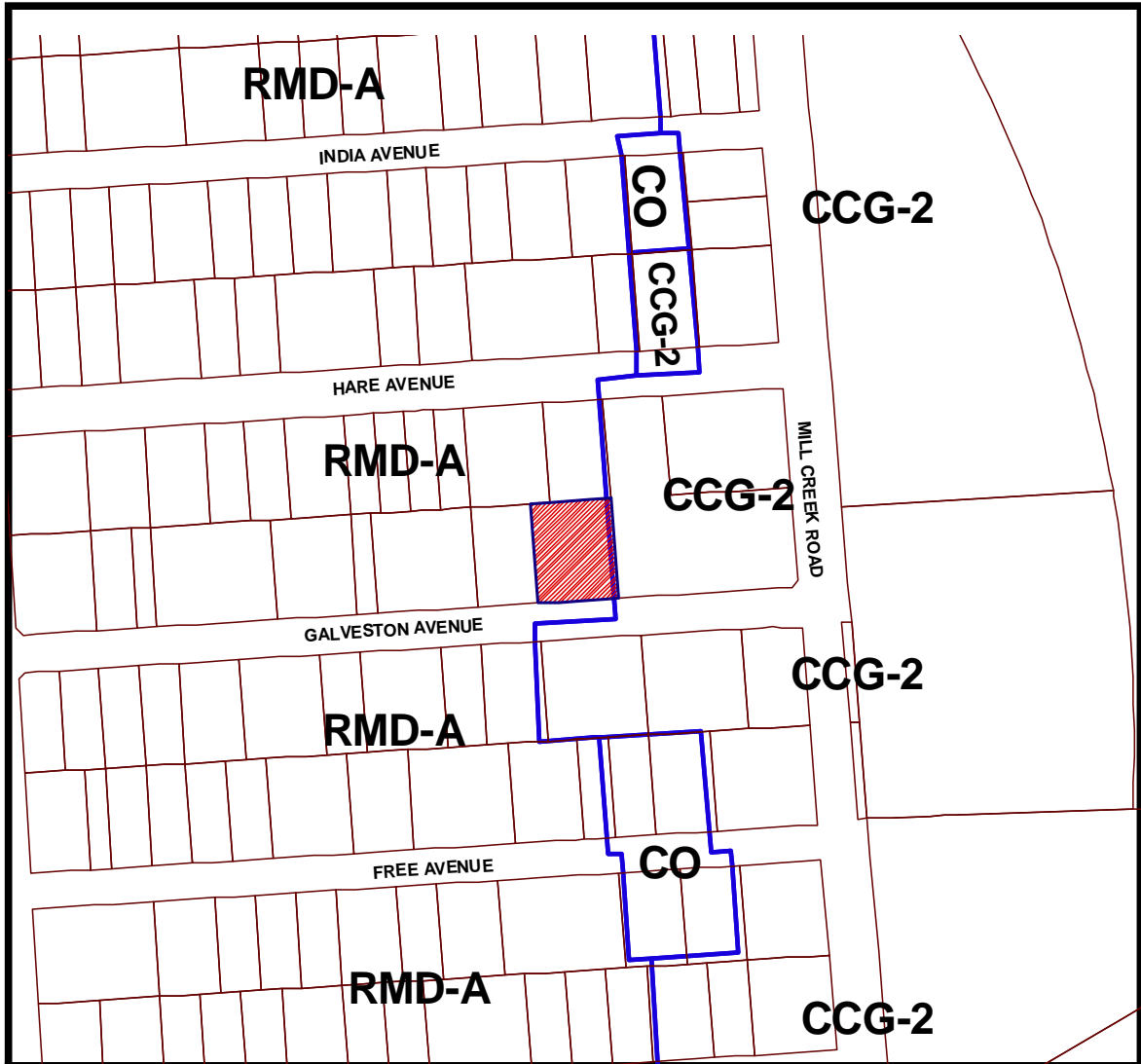
Adjacent single-family home to the north. The proposed storage structure will be set back 10 feet from the rear yard property line.

Source: City of Jacksonville Planning and Development Department
Date: July 18, 2014



Sidewalks are present along both sides of the ROW.

Source: City of Jacksonville Planning and Development Department
Date: July 18, 2014



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-A</p> <p>TO: PUD</p>	<p>An inset map of the city of Houston, Texas, with a black dot indicating the location of the subject parcel in the central-eastern part of the city.</p>	<p>A north arrow pointing upwards, with 'N' at the top, 'S' at the bottom, 'E' on the right, and 'W' on the left.</p>
	<p>ORDINANCE _2014_0416</p>	<p>0 100 Feet</p> <p>COUNCIL DISTRICT: 2</p>
		<p>FILE COPY</p>