

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2014-492 TO

PLANNED UNIT DEVELOPMENT

AUGUST 21, 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 **2014-492** to Planned Unit Development.

Location: 9283 San Jose Boulevard between Sunbeam Road and Baymeadows Road

Real Estate Number(s): 148712-0200

Current Zoning District: Planned Unit Development (PUD 1988-1241-712)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Residential Professional Institutional (RPI)

Planning District: Southeast, District 3

City Council District: The Honorable Lori N. Boyer, District 5

Applicant/Agent: Robert P. Tate
Shirley Hartman, MD, PA
3033 Hartley Road, Unit 3
Jacksonville, Florida 32257

Owner: Rex and Diane Brown
Rex Brown Revocable Living Trust
4421 Seminole Street
Starke, Florida 32091

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2014-492** seeks to rezone approximately 0.78 acres of land from PUD to PUD. The rezoning to PUD is being sought so that the property uses similar to the CO Zoning District including retail sales of medical equipment, appliances and

health supplements. An additional 48 square foot sign for the building is also requested. The existing PUD allows for uses in the CPO, now renamed CRO Zoning District, but excludes retail sales.

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 Residential Professional Institutional (RPI) functional land use category 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. 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. 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.

The uses provided herein shall be applicable to all RPI sites within the Suburban Area.

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; 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.

(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 category as identified in the Future Land Use Map series (FLUMs): Residential Professional Institutional (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. Policy 1.1.8 Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.

F.L.U.E. Policy 1.1.11 Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.

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 3.2.2 The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

(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:

The treatment of pedestrian ways: There is an existing sidewalk along San Jose Boulevard.

The use of topography, physical environment and other natural features: Adjacent land on the north and east is zoned Conservation (CSV) which will limit the impact to other parcels.

Traffic and pedestrian circulation patterns: There is a single driveway on San Jose Boulevard, which allows for cross access to the adjacent parcel.

The use and variety of building groupings: There are two existing buildings and the parcels are unable to expand due to the wetlands.

Compatible relationship between land uses in a mixed use project: The written description states the retail use will not exceed 2000 square feet of the existing 4500 square feet building. The retail sales will be ancillary to the medical practice. The retail use will not create any adverse impact to the adjacent office building.

(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:

Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon: The retail sales will not exceed 50% of the existing 4500 square foot building. There will be no impact to the surrounding uses.

The type, number and location of surrounding external uses: The proposed development is located in an area where residential, office and commercial uses function as a mixed-use development. The additional retail uses at this location complements the existing offices and commercial 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	CSV	CSV	Wetlands undeveloped
South	RPI	CO	Business offices
East	CSV	CSV	Wetlands undeveloped
West	MDR	RMD-C	Multi-family dwellings

(6) Intensity of Development

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

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. A recreation area is not required.

(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 not identify any 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. There is an existing sidewalk along San Jose Boulevard in front of the property.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on August 11, 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 **2014-492** be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated May 2, 2014.
2. The subject property shall be developed in accordance with the original written description dated April 9, 2014.
3. The subject property shall be developed in accordance with the original site plan dated June 27, 2014.



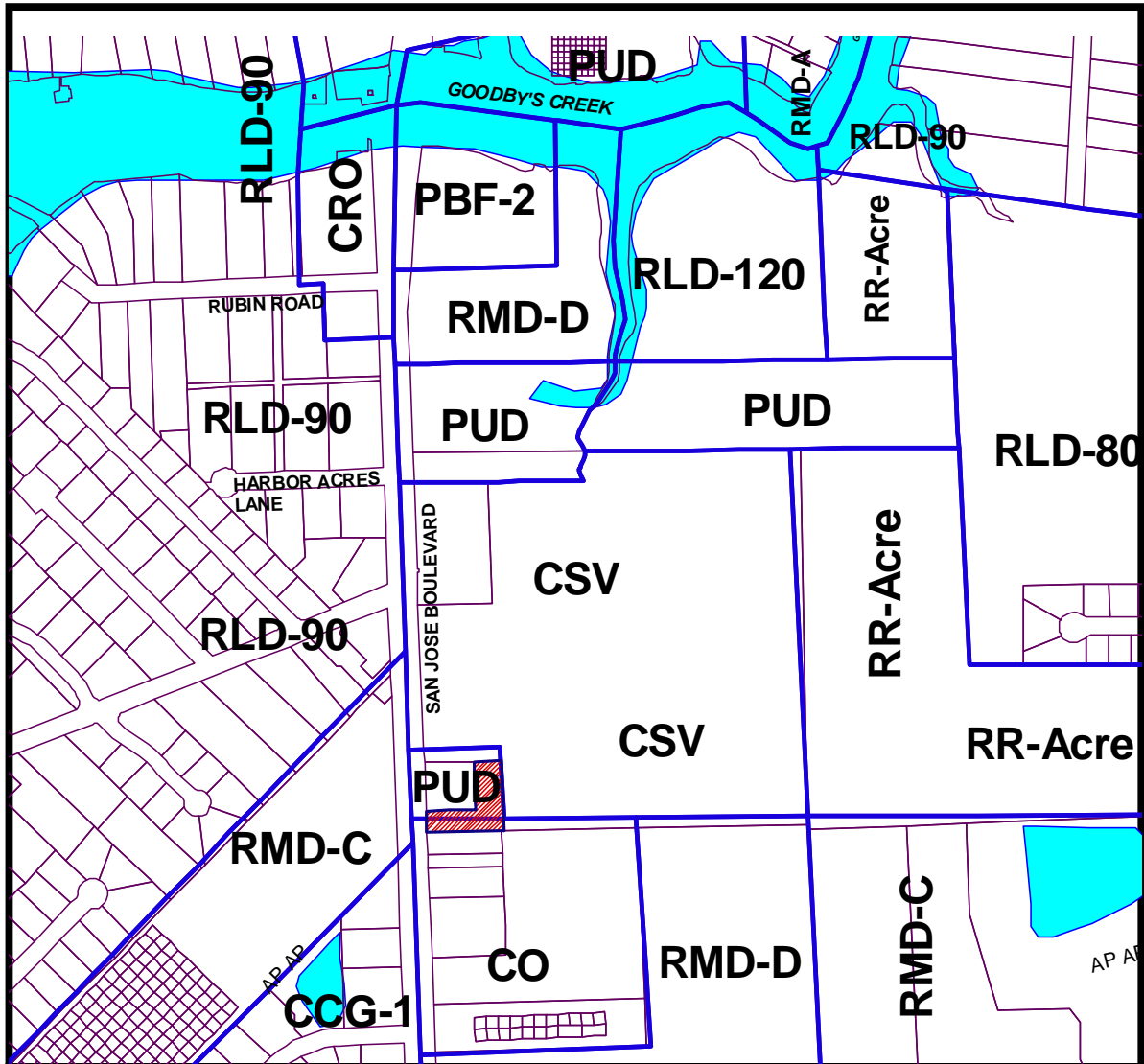
View of existing building subject to rezoning.





Existing building not part of rezoning.





<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>		
		<p>0 100 Feet</p>
		<p>COUNCIL DISTRICT: 5</p>
	<p>ORDINANCE _2014_0492</p>	<p>FILE COPY</p>