

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2014-533 TO

PLANNED UNIT DEVELOPMENT

SEPTEMBER 4, 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 **2014-533** to Planned Unit Development.

Location: 10201 103rd Street West between Connie Jean Road and Blair Road

Real Estate Number(s): 012970-0000, 012970-1200

Current Zoning District: Planned Unit Development (PUD 1997-300-E)
Residential Medium Density-A (RMD-A)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Medium Density Residential (MDR)
Community General Commercial (CGC)

Proposed Land Use Category: Community General Commercial (CGC)

Planning District: Southwest, District 4

City Council District: The Honorable Doyle Carter, District 12

Applicant/Agent: Owen E. McCuller, Jr., Esq.
Smith Hulsey & Busey
225 Water Street, Suite 1800
Jacksonville, Florida 32202

Owner: Dominic Raices
Proficient Auto, Inc.
10057 103rd Street
Jacksonville, Florida 32210

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2014-533** seeks to rezone approximately 10.93 acres of land from RMD-A and PUD to PUD. The rezoning to PUD is being sought so to increase the acreage and expand the existing PUD which allowed tractor trailer parking and storage as well as uses found in the CCG-2 Zoning District. The proposed PUD maintains the same uses as the existing PUD and eliminates objectionable uses.

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 Medium Density Residential (MDR) and Community General Commercial (CGC) 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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series 2014C-008 (Ordinance 2014-532) that seeks to amend the portion of the site that is within the MDR land use category to Community General Commercial (CGC). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land use Map Series 2014C-008 be approved. 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.

Community General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Transit-Oriented Developments (TOD), as defined in this element, are encouraged when in close proximity to an existing or planned JTA mass transit system station or Rapid Transit System (RTS). Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

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

Principal Uses: Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; Offices, Business and Professional Offices including veterinary offices; Financial institutions; Multi-family dwellings; Live/Work Units; Commercial recreational and entertainment facilities; Auto repair and sales, mobile home/motor home rental and sales, boat storage and sales; Off street parking lots and garages; Filling stations; and Uses associated with and developed as an integral component of TOD. Residential uses shall not be the sole use and shall not exceed 80 percent of a development.

Secondary Uses: Secondary uses shall be permitted pursuant to the Commercial land use introduction. In addition, the following secondary uses may also be permitted: Group care facilities; Criminal justice facilities; Dude ranches; Riding academies; Private camps; Camping grounds; Shooting ranges; Fishing and hunting camps; Fairgrounds; Race tracks; Stadiums and arenas; Transit stations; Transportation terminals and facilities (but not freight or truck terminals); Personal property storage establishments; Crematoria; Blood donation and plasma centers; Building trade contractors; Rescue missions; and Day labor pools.

(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): Medium Density Residential (MDR) and Community General Commercial (CGC). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2014C-008 (Ordinance 2014-532) 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 consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

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 proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

F.L.U.E. Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

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. Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

F.L.U.E. Policy 3.1.2 The City shall eliminate incompatible land uses or blighting influences from potentially stable, viable residential neighborhoods through active code enforcement and other regulatory measures.

(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 commercial 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 use of existing and proposed landscaping: The current PUD which allows for trailer storage required an evergreen hedge along 103rd Street.

The use of topography, physical environment and other natural features: There are few natural features with the exception of a small stream at the rear of the property.

Traffic and pedestrian circulation patterns: The proposed site plan will use the one existing access drive.

The use and variety of building setback lines, separations, and buffering: The proposed PUD uses setbacks which typical of the CCG-1 and 2 Zoning Districts.

(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 a major transportation corridor where residential, office, commercial and institutional uses exist. Expansion of the PUD 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	MDR	RMD-A	Undeveloped, single family dwelling
South	CGC	CCG-2	Westside Business Center, auto storage
	MDR	RMD-MH	Mobile home park
East	CGC	CCG-2	Junkyard/automobile storage yard
West	MDR	RMD-A	Single family dwelling
	CGC	CCG-1	Business office

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: The current PUD included two requirements which limited the visual impact of the tractor trailers. The first requirement is to plant an evergreen shrub hedge along 103rd Street. The owner has fulfilled that requirement; however the proposed written description does not contain that same requirement.

The second requirement is that tractor trailers will be parked a minimum of seventy feet from 103rd Street. An observation of the site indicates the owner has complied with this requirement. Again, this requirement is not included in the proposed written description. **The Department recommends these two requirements are carried forward in the proposed PUD.**

(6) Intensity of Development

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

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The site has direct access to 103rd Street, a major arterial road.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. No recreation area is 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

There is an existing sidewalk along the frontage of 103rd Street.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on August 22, 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 **2014-533** be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated July 14, 2014.
2. The subject property shall be developed in accordance with the revised written description dated August 27, 2014.
3. The subject property shall be developed in accordance with the revised site plan dated August 28, 2014.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated August 19, 2014 or as otherwise approved by the Planning and Development Department.
5. The owner shall install and maintain a minimum six (6) foot high, 85% opaque visual barrier with a fence, landscape or combination of both along the frontage of 103rd Street.
6. Tractor trailer vehicles shall be parked a minimum of seventy (70) feet from 103rd Street property line.



View of entrance to site along 103rd Street



View of entrance to site along 103rd Street



View of entrance to site along 103rd Street



