

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2014-539

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 **2014-539** to Planned Unit Development.

Location: North of Baymeadows Road
West of Baymeadows Circle West

Real Estate Number: 148521 0015

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: Neighborhood Commercial (NC)

Planning District: Southeast, District 3

City Council District: The Honorable Don Redman, District 4

Applicant/Agent: Paul M. Harden, Esq.
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner: Bob Porter
D.R. Horton, Inc.
9456 Philips Highway, Suite 1
Jacksonville, Florida 32256

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2014-539** seeks to rezone approximately 16.98± acres of land from RMD-A to PUD. The rezoning to PUD is being sought for the purpose of developing a maximum of 70,000 square feet of commercial retail sales and service uses for a portion of the former Baymeadows Golf Course community to allow infill development compatible with surrounding, existing development and land uses on unutilized and abandoned golf course parcels within the Baymeadows community. No additional uses by Exception will be allowed on the property. Parking for all proposed uses will meet the requirements found within Part 6 of the Code. An alternative development scheme included in the PUD is a maximum of 60 single-family units on 40 feet wide lots, with a minimum side yard of 3 feet and rear yard of 5 feet.

Generally, the property is currently unutilized, having previously been developed as a golf course. The surrounding uses include residential single-family, townhome, multi-family, and commercial uses. The parcel has access directly onto Baymeadows Circle West, a privately owned local road that collects and distributes traffic from the neighborhood.

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) 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 Semi-Annual Land Use Amendment to the Future Land Use Map Series 2013K-002 (Ordinance 2014-538) that seeks to amend the portion of the site that is within the MDR land use category to Neighborhood Commercial (NC). Staff is recommending that Application for Semi-Annual Land Use Amendment to the Future Land use Map Series 2013K-002 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.

The NC Future Land Use Category is intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. NC uses shall generally be located in locations that are supplied with full urban services and which abut a roadway which is classified as a collector or higher on the Functional Highway Classification map. NC is a category primarily intended to provide commercial retail and service

establishments which serve the daily needs of nearby residential neighborhoods. Preferred development patterns include those described in Policy 3.2.6 of the FLUE

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

Yes. 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 and further their intent by 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 Semi-Annual Land Use Amendment to the Future Land use Map Series 2013K-001 (Ordinance 2014-536) that seeks to amend the portion of land that is within the MDR land use category to NC. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan including the following goals, objectives and policies:

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.

Policy 1.1.25 The City will encourage the use of such smart growth practices as:

1. Interconnectivity of transportation modes and recreation and open space areas;
A range of densities and types of residential developments;
2. A mix of uses including office, commercial, and residential which encourage internal capture of trips;
3. Use of the Development Areas;

4. Revitalization of older areas and the downtown, and
5. Purchase of land through the Preservation Project to remove it from development and preserve it as open space, recreation or conservation use.

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.

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 3.2.6 The City shall encourage neighborhood commercial uses to be located within one quarter mile of the intersections of roads classified as collector or higher on the Functional Highway Classification Map, except when such uses are an integral component of a mixed-use development, Traditional Neighborhood Development (TND), Transit Oriented Development (TOD), Rural Village or similar development. The City should prohibit the location of neighborhood commercial uses interior to residential neighborhoods in a manner that will encourage the use of local streets for non-residential traffic.

Objective 3.4 Where feasible, the City shall encourage all new developments to conform to a compact and connected growth pattern with land use diversity and improved interrelationships among living, working, shopping, education and recreational activities.

Therefore, proposed rezoning to Planned Unit Development, as conditioned, is consistent with the 2030 Comprehensive Plan, and 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 Management System Office (CMSO) prior to development approvals.

(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 consistent with the internal compatibility factors with specific reference to the following:

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas:

Applicant proposes 7 acres of total passive open space on the site. No active recreation area is proposed.

The use of existing and proposed landscaping:

The project will be required to meet Part 12 Landscape Regulations of the Zoning Code.

The treatment of pedestrian ways:

No clearly delineated pedestrian ways are shown on the submitted site plan. The Applicant will be required to construct a sidewalk system that meets the intent of the 2030 Comprehensive Plan.

Traffic and pedestrian circulation patterns:

The Development Services Division reviewed the proposed development plan and shared the following comments in their memorandum dated August 25, 2014.

- 1. This portion of Baymeadows Road is FDOT maintained. Number, design & location of any accesses to Baymeadows Road, as well as any required offsite improvement, will be determined by FDOT & their permit process.**
- 2. Internal roadways shall meet design standards of Section 3 of the Land Development Procedures Manual.**
- 3. All existing internal roadways are private and shall remain private as well as any proposed roadways.**
- 4. Parking space dimensions, sidewalks and backup/drive aisle shall meet design requirements of Section 656.607.**
- 5. Signs, fences, walls and landscaping shall be located so that the horizontal line of sight at intersections is not obstructed.**

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

Applicant proposes building setbacks similar to those found within the conventional CN zoning district, and RLD-40 residential zoning district. Building height will be limited to 45 feet.

The particular land uses proposed and the conditions and limitations thereon:

Applicant proposes land uses permitted by right or by exception within the NC functional land use category such as commercial retail sales and service establishments, banks and restaurants without drive thru, multi-family residential, churches, and restaurants serving all alcoholic beverages for on-site consumption. No additional uses permitted by Exception in the above districts will be permitted by exception in this PUD.

Signage:

Applicant proposes up to two single-faced or one double-faced sign not to exceed 120 square feet in area and twelve feet in height and no closer than 100 feet from another sign. Wall signage is permitted as well as standard under-the-canopy signage and directional signage.

(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 area surrounding the subject site contains a mix of single-family and multi-family residential, office and commercial uses as well as the former golf course. The commercial uses are located south of the site along Baymeadows Road. Baymeadows Road is classified as a minor arterial roadway and Baymeadows Circle West, which is the western boundary of the site, is a privately maintained local road. The Baymeadows Road ramp to I-95 is located less than one half of a mile west of the subject site.

There is one additional land use amendment being processed concurrently with this land use amendment application. 2013K-001/Ordinance 2014-536 is a large scale land use amendment for a 12.43 acre site located directly east of this site and across Baymeadows Circle West. Ordinance 2014-536 is a request to change the land use from MDR to NC. A recent land use application proposal nearby this site is a small scale amendment 2013C-031 that was recently approved with Ordinance 2014-138-E, for a 5.80 acre site going from MDR to Community/General Commercial (CGC). This site is located on Baymeadows Road and was accompanied by a companion rezoning from RMD-D to PUD (Ordinance 2014-139-E).

In addition to the nearby land use amendments, PUD Ordinance 2014-062-E was recently adopted for 112.88 acres of the remainder of the former golf course parcel. According to the details included in the PUD written description, the 112.88 acre site is intended for development with 150,000 square feet of non-residential uses, 552 multi-family dwelling units, 146 single-family dwelling units, 404,672 square feet of active recreation.

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

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	MDR	RMD-A/RMD-D PUD (1977-363-E)	Single-family
East	MDR (NC proposed 2013K-001)	RMD-A/RMD-D PUD proposed (2014-537)	Undeveloped Neighborhood commercial uses

South West	CGC MDR	CCG-1 RMD-A	proposed Professional office Wooded, undeveloped
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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 application site lies within the boundaries of the *Southeast Vision Plan and the Baymeadows Community Vision Plan*. The Baymeadows Community Vision Plan is a continuation and fine tuning of the community efforts that created the Southeast Vision Plan. Specific recommendations from the Baymeadows Community Vision Plan call for a revitalization of business and commercial development with a “community scale.” Other aspects of the plan include improved roadways, “soft” entrance features, improved signage, traffic calming, and preservation of existing vegetation and the creation of parkland. The plan also identifies the redevelopment of the golf course as a major component of the plan. Also included is a multi-functional “club house” facility which features classrooms, teaching facilities, sales, golf course retail, outdoor cafes, outdoor putting greens and a driving range. The proposed land use category accommodates such uses.

The proposed PUD would allow commercial retail sales and service establishments that include banks with drive through tellers, profession and business offices, medical office, libraries, art galleries, museums, restaurants with outside sale and service of food and alcohol sales for on-premises consumption, churches, veterinarians and animal boarding, retail outlets (not to exceed 2,500 rentable square feet), essential services, multi-family & single family residential, and day care centers.

The BCP and Figure 1 (Community Driven Vision, Option1) both indicate that business and commercial uses may be developed with a “community scale”. Therefore, the Neighborhood Planning Section finds that the proposed development of Application for Rezoning to PUD that would allow the development of approximately 16.98 acres into 70,000 square feet of commercial space, with 7 acres of open space is consistent with the Baymeadows Community vision and plan for the area.

(6) Intensity of Development

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

The location of various proposed uses within the proposed PUD and the degree of compatibility of such uses with each other and with surrounding uses:

Site will consist of commercial development consistent with the NC functional land use category. In this regard it is consistent with the Zoning Code and with the uses permitted by the 2030 Comprehensive Plan.

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

The use is consistent with the residential density and intensity of surrounding lands. Many surrounding lots are small and consist of townhome and multi-family condominium plots that vary between 25 and 45 feet in width, and of varying depths. Additional multi-family apartments and townhomes as well as new single-family development on 40 foot wide lots are generally compatible with surrounding development. Professional offices on property zoned CCG-1 are present directly south of the property.

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

The site is served by city sewer and water.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:

Baymeadows Road (SR 152), from I-95 to Old Baymeadows Road, is the directly accessed functionally classified roadway. Baymeadows Road is a 4-lane divided class I arterial I in this vicinity and is currently operating at an unacceptable LOS E. Baymeadows Road has a maximum daily service volume of 39,800 vpd and a 2013 daily traffic volume of 35,000 vpd. This road segment currently has insufficient capacity to accommodate the traffic generated by this development. Access to this site via Baymeadows Road must be subject to FDOT access management requirements.

The current proposal is for 70,000 square feet of ITE Code 820, Commercial, which would generate 5,386 vpd, exceeds the amount of trips available on this facility.

(ITE 820 Commercial – 70,000 square feet)

(7) Usable open spaces plazas, recreation areas.

The site will consist of approximately 7 acres of passive open space on the property.

(8) Impact on wetlands

Surveying of a 1995 Geographical Information Systems shape file did identify approximately 3.45 acres of wetlands on-site within the context of the existing golf course property. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

The project is less than the 50-acre threshold. A listed species survey is not required for this PUD.

(10) Off-street parking including loading and unloading areas.

The site is required to provide parking consistent with the minimum requirements of Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

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

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on August 25, 2014, the required Notice of Public Hearing sign **was not** posted. However, both new Rezoning and Land Use Amendment signs were created for the applicant and picked up from Planning and Development Department offices on Wednesday, August 27, 2014. A sign posting affidavit was returned to the Department on Thursday, August 28, 2014.



RECOMMENDATION

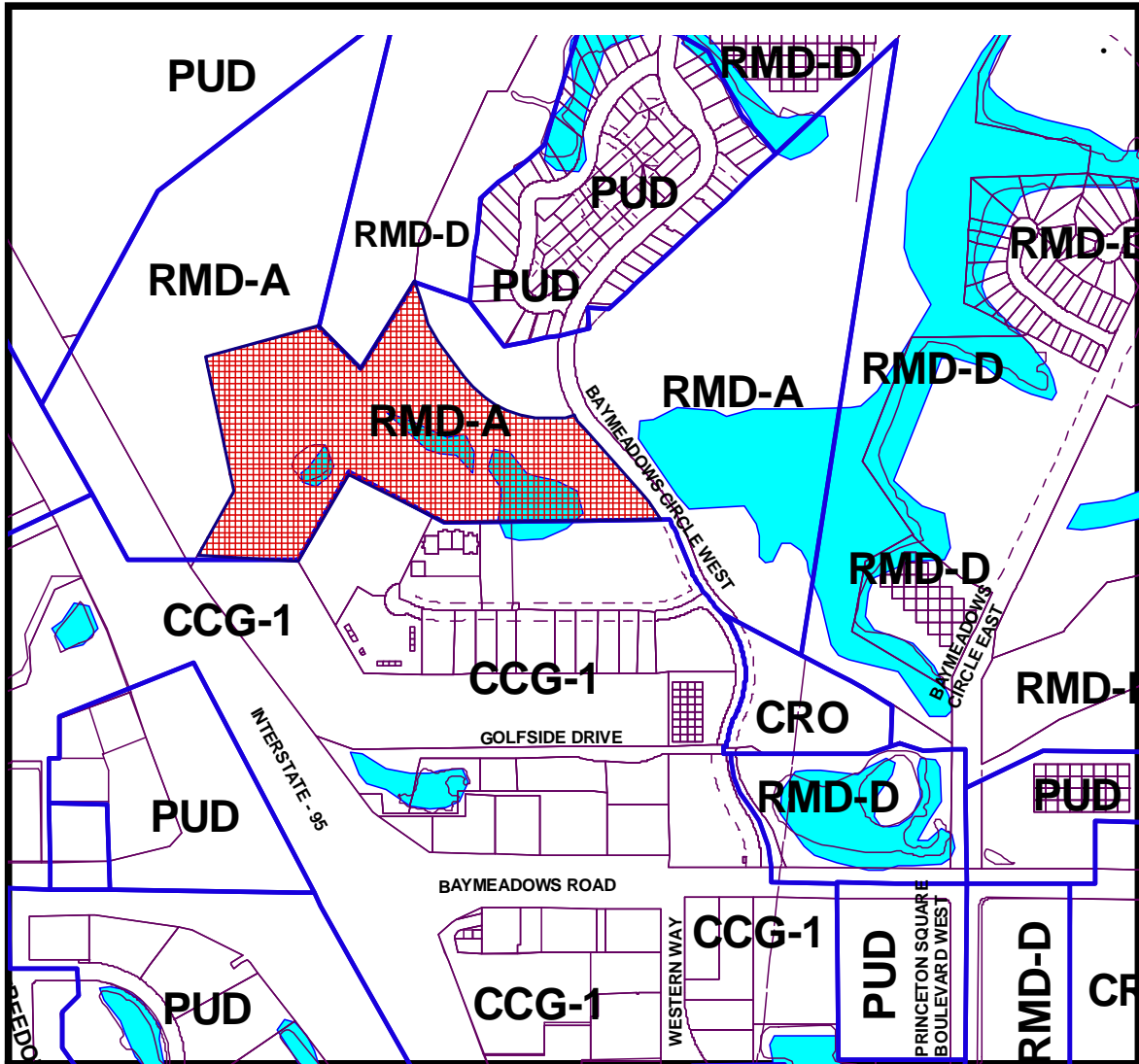
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2014-539 be **APPROVED with the following conditions:**

- 1) **The subject property is legally described in the original legal description dated May 22, 2014.**
- 2) **The subject property shall be developed in accordance with the amended written description dated June 16, 2014.**
- 3) **The subject property shall be developed in accordance with the original site plan dated August 5, 2014.**
- 4) **The subject property shall be developed in accordance with the Development Services Division Memorandum dated August 25, 2014 or as otherwise approved by the Planning and Development Department.**



Property is undeveloped and bounded on the west and north by woods and wetland.

*Source: Planning and Development Department
Date: August 25, 2014*



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-A</p> <p>TO: PUD</p>		
		<p>0 100 Feet</p>
		<p>COUNCIL DISTRICT: 4</p>
	<p>ORDINANCE _2014_0539</p>	<p>FILE COPY</p>