

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2015-64 TO

PLANNED UNIT DEVELOPMENT

FEBRUARY 19, 2015

MARCH 5, 2015

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 **2015-64** to Planned Unit Development.

Location: North side of Regency Square Boulevard between Mill Creek Road and Southside Connector

Real Estate Number(s): 120820-1750, 120820-1625, 120820-1510, 120830-0280

Current Zoning District: Commercial Community General-1 (CCG-1)
Planned Unit Development (PUD 2003-1376-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)
Mixed Use (MU)

Planning District: Greater Arlington/Beaches, District 2

Planning Commissioner: Anthony Robbins

City Council District: The Honorable Clay Yarborough, District 1

Applicant/Agent: James Ryan Hoover
TVC Development, Inc.
3030 Hartley Road, Suite 310
Jacksonville, Florida 32257

Owner: Regency Property Venture
% The Regency Group, Inc.
One Independent Drive, Suite 3120
Jacksonville, Florida 32202

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2015-64** seeks to rezone approximately 11.48 acres of land from CCG-1 and PUD to PUD. The rezoning to PUD is being sought so that the property can be developed with a maximum of 150 multi-family units and 35,000 square feet of commercial retail uses, service establishments and office uses.

The property is currently undeveloped, and is under a unified ownership which is all located within the CGC and a sliver of MU functional land use categories. The development of the multi-family project together with the other commercial uses within the CGC land use category in the total property will not exceed 80% of the development in accordance with the Comprehensive Plan. There shall be a minimum of 17,500 square feet of commercial uses within the PUD boundary.

The Greater Arlington/Beaches CPAC has recommended DENIAL of the application. Their recommendation is included at the end of this report.

This application was deferred at the February 19, 2015 Planning Commission meeting to allow the agent and an adjacent property owner to discuss access to a parcel to the north. The agent has submitted a revised Site Plan dated February 25, 2015 which includes an additional access from Kendall Drive at the northern property line. The Development Services Division has reviewed the revised Site Plan and a revised memorandum is at the end of this report.

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) and Mixed Use (MU) 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. Descriptions of the categories are noted below.

CGC in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is preferred to provide support for commercial and other uses.

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 and Filling stations. **Residential uses shall not be the sole use and shall not exceed 80 percent of a development.** The maximum gross density in the Urban Area shall be 40 units/acre and there shall be no minimum density; except as provided herein. Transit-Oriented Developments (TOD) shall provide a minimum gross density of 20 units/acre; and may increase the maximum gross density by an additional 20 units/acre; except for sites abutting Low Density Residential (LDR) and Rural Residential (RR), in which case the maximum gross density shall be 20 units/acre.

The development characteristics provided herein shall be applicable to all CGC sites within the Urban Area. Developments on sites greater than 30 acres should incorporate urban development characteristics as defined in this element. Residential uses shall not be permitted on the ground floor abutting roads classified as arterials or higher on the Functional Highway Classification Map. Developments shall, to the greatest extent possible, be massed along the highest abutting classified road on the Functional Highway Classification Map. Uses shall be sited in a manner to promote internal pedestrian and vehicle circulation and ease of access between abutting uses and sites and to limit the number of driveway access points on roads classified as arterials on the Functional Highway Classification Map. To promote a more compact, pedestrian-friendly environment, off street parking shall be located behind or to the side of buildings to the greatest extent possible. Structured parking is encouraged, provided it is integrated into the design of the overall development and is compatible with surrounding neighborhoods.

The **Multi-Use** land use category is intended to accommodate, in a more innovating fashion, development or redevelopment of areas in a larger size and scale. Areas which are appropriate for the Multi-Use designation include development which meets or exceeds the thresholds for a Development of Regional Impact (DRI), Florida Quality Development (FQD), or Regional Activity Centers (RAC) under Chapter 380, *Florida Statutes*, or a former military base closed pursuant to the Defense Base Closure and Realignment Act of 1990 and under Florida Statute 228 or subsequent Federal/local action or areas which have been approved as a Transportation Management Area with a Chapter 163 Agreement (TMA), and for those developments that comprise of at least 250 acres and provide for master planned communities which include energy efficient development patterns and other features designed to maximize the preservation of natural areas.

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.

(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): Community General Commercial (CGC) and Mixed Use (MU). 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 Policies 1.1.1 The City shall ensure that all new development and redevelopment after the effective date of the 2030 Comprehensive Plan is consistent with the Future Land Use Map series, and textual provisions of this and other elements of the 2030 Comprehensive Plan, as provided in Chapter 163 (Part II), Florida Statutes (F.S.).

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 3.1.6 The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

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.

F.L.U.E Policy 3.2.13 The City shall encourage commercial uses at interstate interchanges to use site design measures which serve to unify the projects by such techniques as cross access and interconnectivity. The site design measure should minimize impacts to surrounding areas.

(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 maximum of 150 multi-family dwelling units. 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 streetscape: The proposed development will present a streetscape similar to other multi-family and commercial developments in the area.

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The multi-family development will provide active recreation areas and open space.

The use of existing and proposed landscaping: The written description indicates the proposed development will comply with the landscape regulations contained in Part 12 of the Zoning Code.

Traffic and pedestrian circulation patterns: There will be two access points for the multifamily subject to the review of the Traffic Engineer.

The use and variety of building groupings: The site plan shows the buildings grouped around a courtyard which provides for efficiency and ease of use for the residents.

(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 and commercial uses are in close proximity. Multi-family and commercial development at this location complements the various existing uses by increasing the housing options for those 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	RPI	RLD-60	Single family dwellings
	MU	PUD (03-1376)	Undeveloped
South	CGC	CCG-1	Offices
East	CGC	CCG-1	Southside Connector ramp
West	CGC	CO	Undeveloped

(6) Intensity of Development

The proposed development is consistent with the CGC and MU functional land use categories as a multi-use development, which is not to exceed 150 multifamily dwelling units and 35,000 square feet of commercial uses. The PUD is appropriate at this location because it will support the existing offices, commercial retail 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 and recreation area. There will be a minimum of 150 square feet of recreation area per residential unit.

(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.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on February 9, 2015, 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 **2015-64** be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated December 8, 2014.
2. The subject property shall be developed in accordance with the original written description dated December 10, 2014.
3. The subject property shall be developed in accordance with the ~~original~~ **revised** site plan dated ~~October 28, 2014~~ **February 25, 2015**.
4. The subject property shall be developed in accordance with the **revised** Development Services Division Memorandum dated February 6 **26**, 2015 or as otherwise approved by the Planning and Development Department.



Aerial view of site.



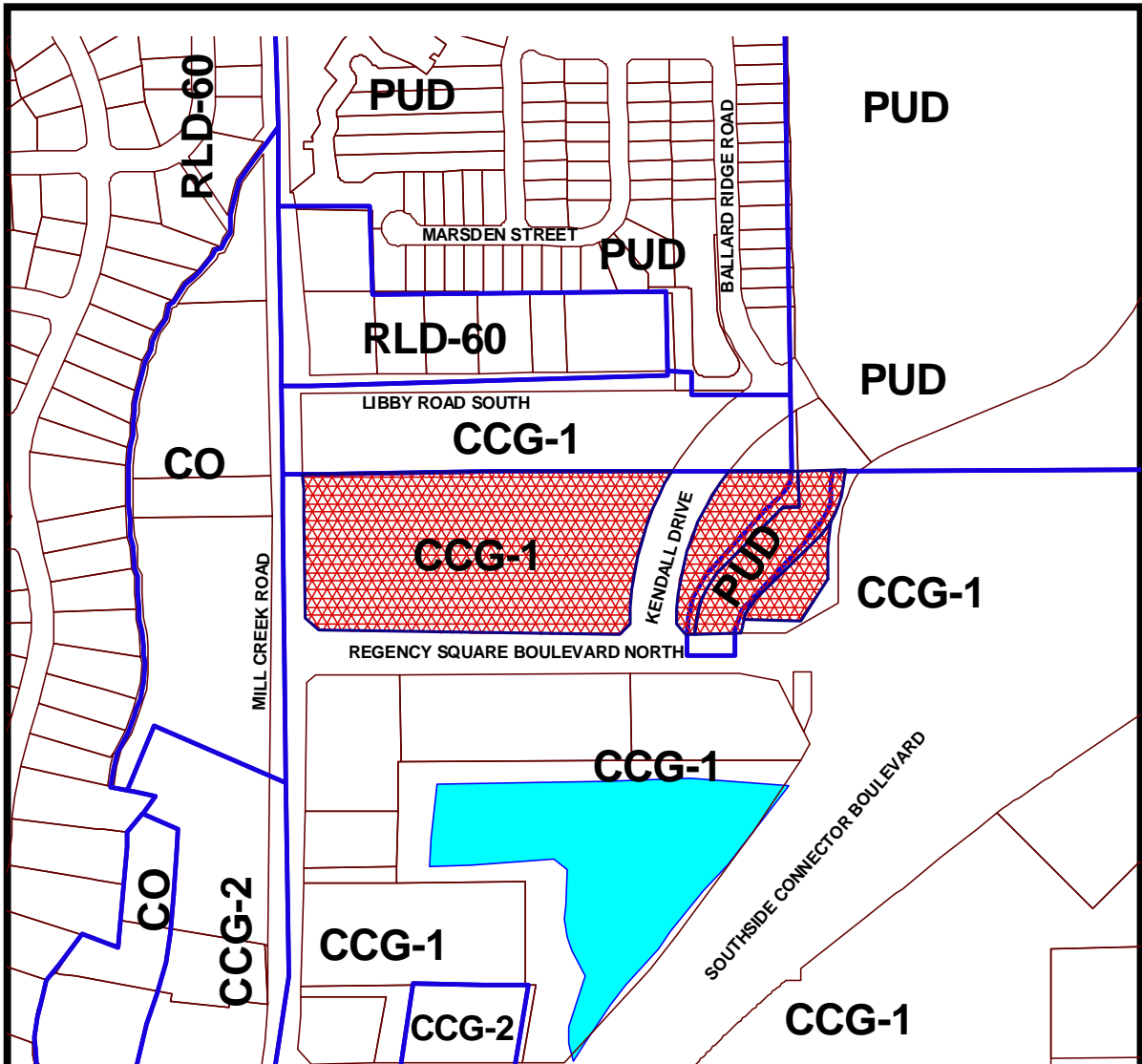
View of site on east side of Kendall Drive.

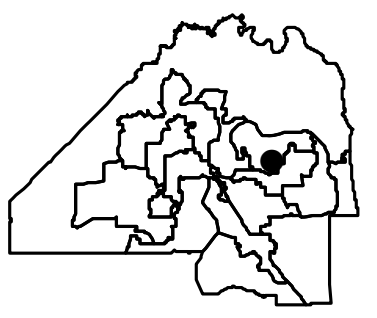



View of existing curb cut on Kendall Drive.



Entrance to Mill Creek subdivision.



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1 & PUD</p> <p>TO: PUD</p>		 <p>0 100 Feet</p> <p>COUNCIL DISTRICT: 1</p>
<p>ORDINANCE -2015-0064</p>		<p>FILE COPY</p>