

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2015-0222
TO PLANNED UNIT DEVELOPMENT

APRIL 23, 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 **2015-0222** to Planned Unit Development.

Location: North and west of the Gate Parkway and Town Center Parkway intersection

Real estate Number(s): 167727-0850, a portion of 167727-0825, and a portion of 167727-0030

Current Zoning District(s): Commercial Office (CO), Planned Unit Development (PUD 1995-164-E), and Residential Medium Density-A (RMD-A)

Proposed Zoning District: Planned Unit Development (PUD)

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

Planning District: 3 - Southeast

City Council District: The Honorable Don Redman, District 4

Planning Commissioner: Daniel Blanchard

Applicant/Agent: T.R. Hainline, Esq.
Rogers Towers PA
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Arthur Chester Skinner, III; Trustee
S-J Properties TIC
2963 DuPont Avenue, Suite 2
Jacksonville, Florida 32217

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development **2015-0222** seeks to rezone approximately rezone approximately 61.35 acres of property comprised of approximately 45 acres of uplands and 16 acres of lakes/ditches at the intersection of Gate Parkway and Town Center Parkway from Commercial Office ("CO"), Planned Unit Development ("PUD"), and Residential Medium Density-A ("RMD-A") to PUD. The rezoning to PUD is being sought to provide for a mixed-use development, which may include up to 600,000 square feet of commercial/retail and office uses, 400 hotel rooms, and up to 500 multi-family residential units, as well as medical and assisted living/skilled nursing 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 Community General Commercial (CGC) and Residential Professional Institutional (RPI) 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. The Community General Commercial (CGC) functional land use category is 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.

Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor. In addition, all development on sites which abut a Low Density Residential and/or Rural Residential land use designation shall provide the following: A scale transition as defined and illustrated in this element. When developing mixed uses, residential uses shall be arranged on the site to provide a use transition between new non-residential uses and the protected abutting residential land uses to the greatest extent feasible. Elements such as yards, open space, at-grade parking and perimeter walls shall be arranged, designed and landscaped in a manner compatible with adjacent areas to serve as a visual buffering element.

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. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services and which

about a roadway classified as an arterial or higher on the Functional Highway Classification Map.

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

The maximum gross density in the CGC Urban Area shall be 40 units/acre and there shall be no minimum density; except as provided herein. For sites abutting Low Density Residential (LDR) and Rural Residential (RR), the maximum gross density shall be 20 units/acre.

RPI in the Urban Area is intended to provide compact medium density development. Development which includes medium density residential and professional office uses is preferred. Limited commercial retail and service establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicles Miles Traveled. 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.

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; Restaurants (without drive-in or drive-thru facilities); Single Room Occupancies (SROs); Off street parking lots and garages when combined with another principal use; Single-family dwellings which were originally constructed as single-family dwellings prior to adoption of the 2030 Comprehensive Plan; and Uses associated with and developed as an integral component of TOD. 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.

The maximum gross density within the RPI Urban Area shall be 30 units/acre and there shall be no minimum density; except as provided herein. For sites abutting Low Density Residential (LDR) and Rural Residential (RR), the maximum gross density shall be 20 units/acre.

The requested PUD proposes a total of 600,000 square feet of commercial/retail and office uses, 400 hotel rooms, and up to 500 multi-family residential units with full urban services available to the site. 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 Residential Professional Institutional (RPI). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, including the following goal, objective and policy:

F.L.U.E. Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

FLUE 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.

FLUE 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.

FLUE Policy 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster development, 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. Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

F.L.U.E. Policy 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

F.L.U.E. 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.

The PUD proposes the concept of a mixed-use development scaled for and complimentary to the pedestrian and surrounding uses. It includes a mix of land uses integrated vertically and horizontally; internal and external vehicular connectivity; a pedestrian- and bicycle-oriented environment; and the use of performance standards for the overall project that establishes a unique quality, identity and character.

(2) Consistency with the Concurrency Management System

Pursuant to the provisions of Chapter 655 *Concurrency 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. Gate Parkway at this location and Town Center Parkway are part of the Transportation Management Area (TMA) roadway network described in the Development Agreement establishing the TMA, as it has been amended. A contract for the construction of such roadway improvements shall be awarded and a performance bond posted, in accordance with the provisions of the Development Agreement, prior to the issuance of building permits for vertical improvements/structures within the PUD. A contract for construction of such roadway improvements and performance bond is not required prior to verification of PUD compliance, site plans, site clearing plans, and site development plans for horizontal improvements within the PUD.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a mixed use development that may contain multi-family dwellings. 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 written description indicates landscaping

and tree protection shall be provided in accordance with Part 12 of the Zoning Code. Landscaping standards shall be applied taking into consideration all proposed uses and the entire PUD site. For individual uses, which may own their sites in fee simple, required landscaping may be provided “off-site” within the PUD and may be shared with other uses, so long as the PUD in its entirety provides sufficient landscaping for all proposed uses. Landscape standards shall be applied within the PUD without regard to property ownership boundaries, which may exist among individual uses. Landscaping may be relocated to other areas of the site.

Traffic and pedestrian circulation patterns: The proposed access to Tract 1 will be provided via Gate Parkway and Town Center Parkway. Access to Tract 2 will be provided via Gate Parkway and Skinner Lake Drive. For individual “lots” or parcels of land within the PUD there shall be no required street frontage or access. No new median cuts (in addition to existing median cuts) are proposed. Right-in, right-out access points as shown on the PUD Site Plan may be relocated subject to review and approval of the Planning and Development Department; and the applicant is proposing that any right-in, right-out access points in addition to those shown on the PUD Site Plan may be sought per the minor modification process.

A multi-use path shall be provided extending from Skinner Lake Drive north and east through the intersection of Gate Parkway and Town Center Parkway, north along a portion of Gate Parkway, and east and north along the PUD’s frontage on Town Center Parkway. The multi-use path shall be a minimum ten (10) feet in width, meet FDOT design standards for multi-use paths, and allow for pedestrian and bicycle use. The multi-use path will allow pedestrian and bicycle interconnectivity between the PUD and the surrounding uses, enhancing the pedestrian and bicycle scale and nature of the project providing for alternative access other than automobiles and reducing traffic impacts on the surrounding road links.

The use and variety of building setback lines, separations, and buffering: The setbacks contained in the written description are similar to those in the adjacent Marketplace at Town Center and St. Johns Town Center PUD’s.

Along the boundary between Tract 1 and the adjoining property located at 10135 Gate Parkway North (RE # 167727-0600), currently known as Arium Town Center Apartments, maximum height of structures shall be one-hundred (100) feet; provided, however, that maximum height of portion(s) of a structure may be one-hundred and fifty (150) feet where such portion is located more than fifty (50) feet from residential structures on the adjoining property (excluding garages, carports, or storage structures) and are fronting and visually oriented in a north/south direction toward this PUD, or more than twenty (20) feet from residential structures on the adjoining property (excluding garages, carports, or storage structures) and are fronting and visually oriented in an east/west direction toward or away from Lake Meadowbrook.

Along the boundary between Tract 2 and the adjoining property located at 10000 Gate Parkway North (RE # 167725-5002), currently known as Sail Cove Condominiums, maximum height of structures shall be one-hundred (100) feet; provided, however, that maximum height of portions of a structure may be one-hundred and fifty (150) feet where such portions are located more than fifty (50) linear feet from residential structures on the adjoining property which are intended for human occupancy (i.e., excluding garages, carports, or storage structures).

Along both of the boundaries mentioned above, a visual buffer/screen a minimum ten (10) feet in width shall be installed. The buffer/screen may include a wood, wood composite, masonry wall, or vinyl fence, existing or planted landscaping, earth mounds or combination thereof so long as such measures shall provide at the time of installation a minimum of 85 percent opacity for that area between the finished grade level at the common boundary line and six feet above such level and horizontally along the length of all common boundaries. Plants or preserved vegetation shall be evergreen, a minimum of five feet tall at the time of installation, and spaced so that 85 percent opacity is achieved within two years. Where the boundary crosses the lake shoreline, the screen or fencing adequate to prevent pedestrian access shall extend as far as practicable to the shoreline.

For any proposed non-residential use to be located within the PUD adjacent to an existing residential use within the PUD, maximum height of structures shall be one-hundred (100) feet; provided, however, that the maximum height of portions of such a structure may be up to one-hundred and fifty (150) feet where such portions are located more than fifty (50) linear feet from residential units on the adjoining property (i.e., excluding amenity/recreation centers, carports, or storage structures).

The lack of a detailed site plan prevents the Department from adequately reviewing the impacts of a one hundred (100') foot tall building adjacent to two (2) story residential dwellings. Due to this, staff recommends that the height of structures be limited to sixty (60) feet maximum to ensure compatibility with the existing residential developments adjacent to the site.

Compatible relationship between land uses in a mixed use project: The written description contains uses similar to those in the adjacent Marketplace at Town Center and St. Johns Town Center PUD's. The uses are generally compatible and will not cause any adverse impacts.

(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 function as a mixed-use development. Mixed use development at this location complements the existing office, residential and commercial uses for those who reside and are employed and in the immediate area. It includes a mix of land uses integrated vertically and horizontally; internal and external vehicular connectivity; a pedestrian-and bicycle-oriented environment; and the use of performance standards for the overall project that establishes a unique quality, identity and character.

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	CGC/RPI/MDR/LDR	PUD	Vacant/lake/MF Residential/ SF Residential/Church
South	CGC/MDR	PUD	Commercial/office
East	CGC/MU	PUD	Marketplace at Town Center and St.
Johns			Town Center PUD developments
West	RPI/RC	PUD/CO/RMD-D	MF residential uses/Lake

(6) Intensity of Development

The proposed development is consistent with the CGC and RPI functional land use categories and is a mixed-use development scaled for and complimentary to the pedestrian and surrounding uses. It includes a mix of land uses integrated vertically and horizontally; internal and external vehicular connectivity; a pedestrian-and bicycle-oriented environment; and the use of performance standards for the overall project that establishes a unique quality, identity and character. The PUD is appropriate at this location because it will support the existing offices, service establishments and residential dwellings in the area.

(7) Usable open spaces plazas, recreation areas.

For multifamily residential uses within the PUD, active recreation/amenities shall be provided at a ratio of a minimum of 150 square feet of recreational land per residential unit. These active recreation/amenities may include parks, open space, pedestrian walks and paths, the multi-use path, and recreational uses located within the PUD as well as any amenity/recreation center, pool, cabana/clubhouse, health/exercise facility, and similar uses which may be provided within a multifamily use.

(8) Impact on wetlands

Surveying of a 2005 Geographical Information Systems shape file 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

A wildlife survey was submitted with the application. No protected wildlife species were observed on-site during our site investigations, and the proposed project should have no adverse impacts to protected species, or critical habitat for such species.

(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. A multi-use path shall be provided extending from Skinner Lake Drive north and east through the intersection of Gate Parkway and Town Center Parkway, north along a portion of Gate Parkway, and east and north along the PUD's frontage on Town Center Parkway. The multi-use path shall be a minimum ten (10) feet in width, meet FDOT design standards for multi-use paths, and allow for pedestrian and bicycle use.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on April 14, 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 the application for Rezoning **2015-0222** be **APPROVED** with the following exhibits:

1. **The original legal description dated February 17, 2015.**
2. **The revised written description dated April 10, 2015.**
3. **The original site plan dated February 24, 2015.**
4. **The Development Services Division Memorandum dated April 10, 2015 or as otherwise approved by the Planning and Development Department.**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2015-0222** be **APPROVED** subject to the following condition, which may only be changed through a rezoning:

1. **The maximum height of structures shall be limited to sixty (60) feet where adjacent to residential dwellings.**



Aerial view of the subject site facing north



The subject site ahead on the left facing north along Gate Pkwy.



The subject site facing northwest at the Gate Pkwy./Town Center Pkwy. Intersection



The subject site facing northeast from Town Center Pkwy.



The subject site facing north from Town Center Pkwy.



The subject site facing north from Town Center Pkwy.



The subject site on the right facing west along Town Center Pkwy.



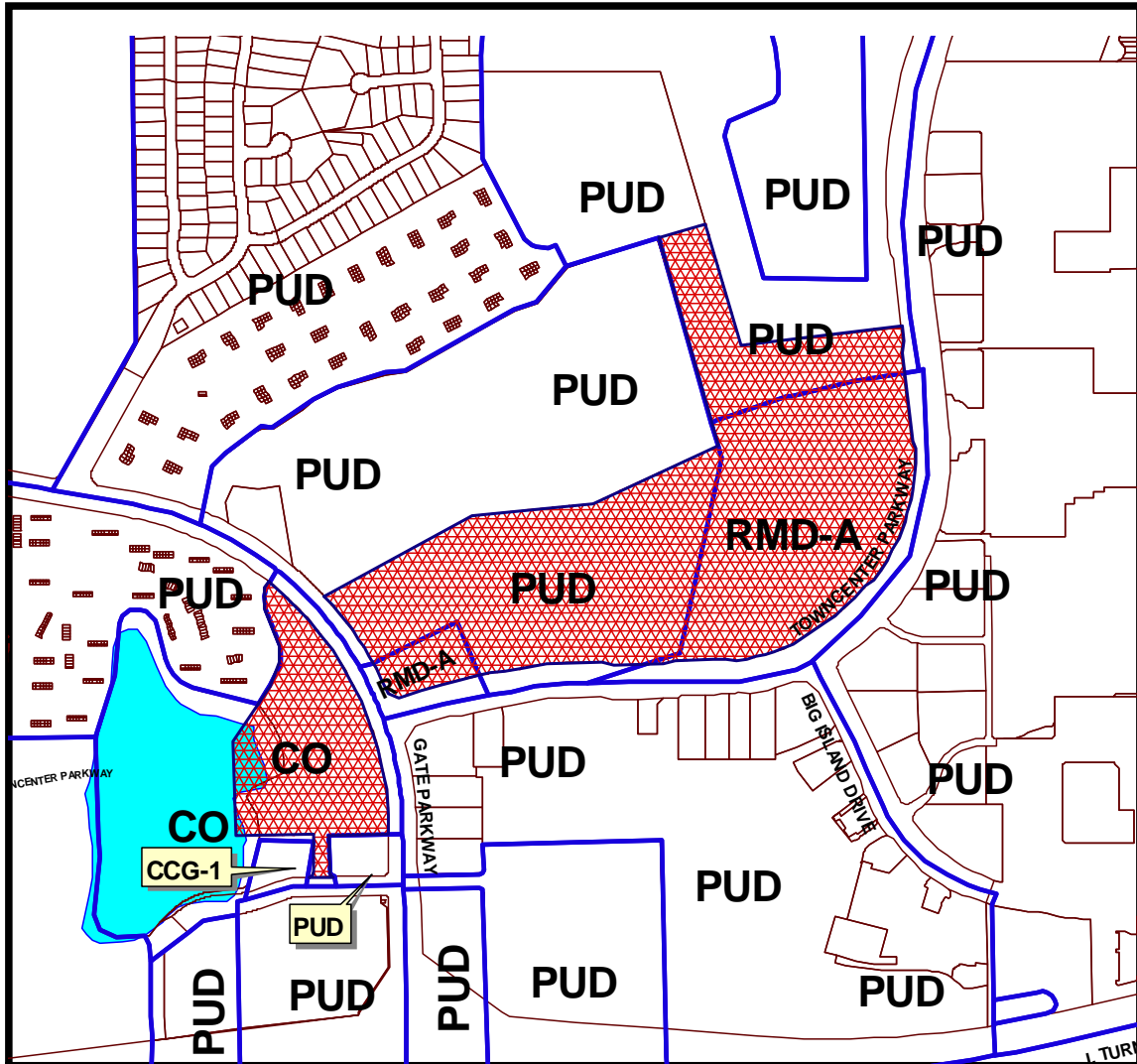
The subject site on the right facing west along Town Center Pkwy.



The subject site facing west at the Gate Pkwy./Town Center Pkwy. Intersection



The subject site on the right facing south along Gate Pkwy.



<p>REQUEST SOUGHT:</p>			
<p>FROM: PUD, PUD, CO & RMD-A</p>		<p>0100 Feet</p>	<p>COUNCIL DISTRICT: 4</p>
<p>TO: PUD</p>		<p>FILE COPY</p>	
<p>ORDINANCE -2015-0222</p>		<p>FILE COPY</p>	