

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2015-238 TO

PLANNED UNIT DEVELOPMENT

MAY 7, 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 **2015-238** to Planned Unit Development.

Location: South side of Ft. Caroline Road between Peeler Road and Cesery Boulevard

Real Estate Number(s): 113315-0000

Current Zoning District: Commercial Office (CO)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Residential Professional Institutional (RPI)

Proposed Land Use Category: Residential Professional Institutional (RPI)
Community General Commercial (CGC)

Planning District: Greater Arlington / Beaches, District 2

Planning Commissioner: Anthony Robbins

City Council District: The Honorable Clay Yarborough, District 1

Applicant/Agent: Steve Diebenow, Esq.
Driver McAfee Peek & Hawthorne
1 Independent Square, Suite 1200
Jacksonville, Florida 32202

Owner: Pam Howard
Setzers Eighth Street Corporation
d/b/a TSG Realty
8560-12 Old Kings Road South
Jacksonville, Florida 32217

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development **2015-238** seeks to rezone approximately 9.96 acres of land from CO to PUD. The rezoning to PUD is being sought so that a charter school will be constructed on 4.5 acres and commercial retail and service establishment uses will be constructed on 3.2 acres. The remaining 1.9 acres will contain a retention pond. The school parcel and commercial parcel will have a maximum of 40,000 square feet each. The maximum number of children will be 224. There will be no sports teams or band.

There are recommendations of denial from the Ft. Caroline Club Estates South Civic Association, Inc., the Greater Arlington Civic Association, Inc., and the Greater Arlington /Beaches Citizens Planning Advisory Council (CPAC).

The agent met with the community and has provided the Department with a revised written description dated April 29, 2015, based on their comments and concerns. The Department has reviewed the revised written description and has no objections. The changes allow the school use to be expanded into the commercial parcel. However the commercial uses shall not expand in to the school parcel.

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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series 2015C-004 (Ordinance 2015-237) that seeks to amend 3.2 acres of the site that is within the RPI 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 2015C-004 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.

Residential Professional Institutional (RPI) is a category primarily intended to accommodate medium to high density residential, professional office, and institutional uses. Limited

commercial retail and service establishments which serve a diverse set of neighborhoods may also be a part of mixed use developments. RPI is generally intended to provide transitional uses between commercial and residential uses. Development within the category should be compact and connected and should support multi-modal transportation.

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 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.

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); Off street parking lots and garages when combined with another principal use. Single-use developments shall be limited to residential or office. Mixed use developments may not include more than 90 percent of any individual use.

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

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; Commercial recreational and entertainment facilities; Off street parking lots and garages.

(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). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2015C-004 (Ordinance 2015-237) that seeks to amend 3.2 acres within the RPI land use category to CGC.

This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following Future Land Use Element (FLUE) 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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

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. 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 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

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 residential character of and precludes non-residential traffic into adjacent neighborhoods and meets design criteria set forth in the Land Development regulations.

F.L.U.E. Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

F.L.U.E. Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

(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 an institutional and 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 site is heavily wooded; however the proposed PUD makes no mention of preserving trees. The PUD does indicate that any development will meet Part 12 – Landscape and Tree Protection Regulations of the Zoning Code.

The treatment of pedestrian ways: The site plan is general in nature and pedestrian connections are not shown. The proposed PUD states the development will comply with sidewalk requirements of the 2030 Comprehensive Plan.

Traffic and pedestrian circulation patterns: The proposed site plan shows a loop drive for the school parcel with access on Ft. Caroline Road. The commercial parcel has one access on Ft. Caroline Road and one access on Peeler Road. There is no internal connection proposed between the two parcels.

The use and variety of building setback lines, separations, and buffering: The PUD is proposing setbacks typical of the CCG-1 Zoning District.

The particular land uses proposed and the conditions and limitations thereon: The PUD written description has omitted uses which could create negative impacts. Any use for beer, wine or liquor, filling stations and dancing establishments has been deleted.

Compatible relationship between land uses in a mixed use project: The PUD is proposing a school use and commercial retail and service establishment uses.

(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: As mentioned earlier the PUD is proposing a 10 foot wide undisturbed buffer along the south property line adjacent to residential dwellings and a retention pond to buffer the commercial uses.

The type, number and location of surrounding external uses: The proposed development is located along a corridor where single family residential, multi-family residential, office, commercial and institutional uses are interspersed. The school and commercial uses at this location is appropriate.

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-D	Caroline Square Apartments
	CGC	CCG-1	Vacant commercial
South	LDR	RLD-60	Single family dwelling
East	CGC	CCG-1	Shopping center, McDonalds, Winn-Dixie

West	LDR	RLD-60	Single family dwelling
	RPI	CRO	Single family dwelling
	CGC	CCG-1	Ft. Caroline Animal Clinic

(6) Intensity of Development

The proposed development is consistent with the RPI and CGC functional land use categories for a school and commercial retail and service establishment development. No residential uses are proposed. The PUD is appropriate at this location because it will offer alternatives for the existing residences in the area.

The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD: The PUD is proposing to locate the retention pond on the southern property line to act as a buffer between the school and commercial parcels and the residential dwellings. In addition, a 10 foot wide undisturbed buffer is proposed between the retention pond and the residential dwellings.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: Ft. Caroline Road is classified as a four lane collector roadway and has adequate capacity to meet the proposed uses.

(7) Usable open spaces plazas, recreation areas.

The school portion of the PUD indicates there will be a 1.8 acre recreation area. The commercial portion will be developed with the required amount of open space. No recreation area is required for this portion.

(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 according to the proposed PUD written description.

(11) Sidewalks, trails, and bikeways

There is an existing sidewalk on Ft. Caroline Road. A pedestrian system that meets the 2030 Comprehensive Plan is required along Peeler Road.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on April 27, 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 **2015-208** be **APPROVED with the following exhibits:**

1. The revised legal description dated April 3, 2015.
2. The revised written description dated April 29, 2015.
3. The original site plan dated March 2, 2015.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated April 22, 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 **2015-208** be **APPROVED subject to the following condition, which may only be changed through a rezoning:**

1. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles ("f.c.") when the building or parking areas are located adjacent to residential areas, and shall not exceed one (1.0) f.c. when abutting other non-residential properties. All lighting lamp sources within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. The maximum light pole height in all parking areas should not exceed thirty feet (30'- 0"). An exterior lighting design plan, including a photometrics plan, pole and fixtures schedules shall be submitted at the time of Verification of Substantial Compliance for review and approval by the Planning and Development Department.



Aerial view of site.



View of site



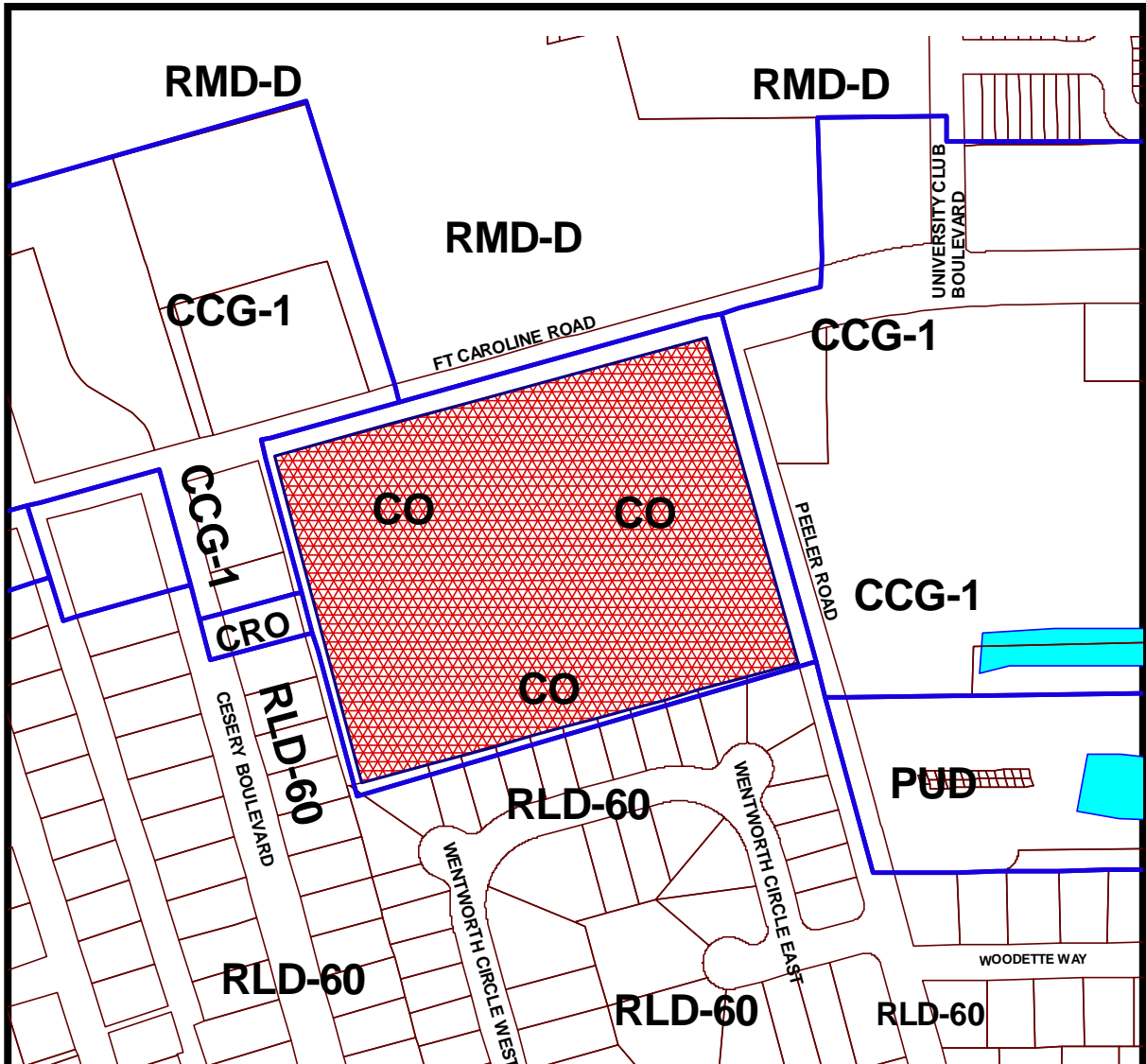
View along Peeler Road adjacent to residential.



View along Peeler Road.



View along Ft. Caroline Road.



<p>REQUEST SOUGHT:</p> <p>FROM: CO</p> <p>TO: PUD</p>		<p>N W E S</p> <p>0 100 Feet</p> <p>COUNCIL DISTRICT: 1</p>
<p>ORDINANCE -2015-0238</p>		<p>FILE COPY</p>