

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2015-521 TO**

**PLANNED UNIT DEVELOPMENT**

**AUGUST 20, 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 **2015-521** to Planned Unit Development.

***Location:*** 2133 Wishart Street between Philips Highway and San Diego Plaza

***Real Estate Number(s):*** 130337-0000, 130345-0000, 130335-0000, 130382-0000

***Current Zoning District:*** Commercial Office (CO)  
Commercial Community General-2 (CCG-2)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Community General Commercial (CGC)

***Planning District:*** Southeast, 3

***Planning Commissioner:*** Daniel Blanchard

***City Council District:*** The Honorable Lori Boyer, District 5

***Applicant/Agent:*** Camika Jerido  
3344 Hunt Street  
Jacksonville, Florida 32254

***Owner:*** Shelvie Summerlin  
Provident Church Ministries, Inc.  
P.O. Box 550  
Moultrie, Georgia 31776

***Staff Recommendation:*** **APPROVE**

### **GENERAL INFORMATION**

Application for Planned Unit Development **2015-521** seeks to rezone approximately 0.82 acres of land from CO and CCG-2 to PUD. The rezoning to PUD is being sought so that the property can be developed with a maximum of 50 students for a child care facility and private school for grades K through 12. There are three existing structures in the PUD; a 4,000 square foot building, a 810 square foot house and a 357 square foot structure.

### **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) 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. The PUD is proposing a child care facility and a school, both of which are permitted in the land use category. 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 Urban Priority Area.

**Principal Uses:** Commercial retail sales and service establishments including auto sales; Restaurants; Hotel and motel; Office, Business and Professional Office including veterinary office; Financial institutions; Multi-family dwellings; Live/Work Units; Commercial recreational and entertainment facilities; 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. Existing dwellings which were legally built as single or multifamily dwellings prior to adoption of the 2030 Comprehensive Plan are allowed within this category. Adult entertainment facilities are allowed by right only in Zoning District CCG-2.

**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.

**Accessory Uses:** Warehousing, light manufacturing and fabricating may be permitted provided it is part of a commercial retail sales or service establishment, and the accessory use shall be located on a road classified as collector or higher on the Functional Highway Classification Map.

*(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): Community General Commercial (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. 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 3.1.3** 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.

**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.

*(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 school and day care 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 streetscape: The proposed site plan indicates the main parking lot will be improved with landscaping and parking spaces. The changes will be an improvement over the existing conditions.

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The proposed site plan shows a play area adjacent to the new modular building on Martin Street.



Traffic and pedestrian circulation patterns: The majority of the parking is accessed from Wishart Street. Two parking spaces are proposed for the buildings on Martin Street. The Wishart Street/Philips Highway intersection is signalized.

The particular land uses proposed and the conditions and limitations thereon: The PUD is proposing only two uses; the private school for K-12 and the child care.

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 agent is removing all permitted and permissible uses by exception in the CO and CCG-2 zoning districts except the two requested uses; a private school for K-12 grades and a day care.

*(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, and commercial uses are in close proximity without appropriate transitions. A school/day care use at this location will provide for a transition between the single family residential and the more intensive commercial uses.

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</u>
North	CGC	CO	Martin Street / Auto repair
South	CGC	CCG-2	Auto repair
East	CGC	CO	Vacant commercial use
West	CGC	RMD-D	Single family dwellings.

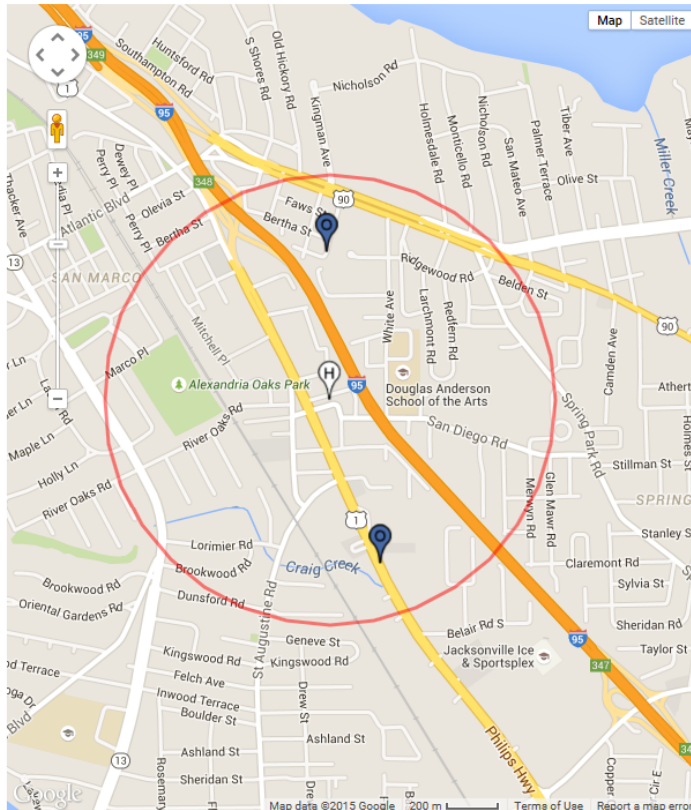
A review of the Florida Department of Law Enforcement (FDLE) Florida Sexual Offenders and Predators website did not find any sexual predator within ½ mile of the subject site pursuant to Ordinance 2014-552-E. See map below.

## NEIGHBORHOOD SEARCH MAP

[Print](#) [Back](#)

Your Search Location: 2133 WISHART STREET  
JACKSONVILLE, FL 32207  
Radius: 1/2 Mile

 Your Search Location  Multiple Offenders  
 Sexual Predator  Your Search  
 Sexual Offender



### *(6) Intensity of Development*

The proposed development is consistent with the CGC functional land use category as a school and day care use. The PUD is appropriate at this location because it will provide a transition between the residential and commercial uses.

The existing residential density and intensity of use of surrounding lands: Immediately to the east of the subject property are single and multi-family dwellings undeveloped lots and institutional uses. The school/day care is an appropriate use for this area.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The proposed site can be accessed from Philips Highway which has a traffic signal at the intersection with Wishart Street of from San Diego Road which runs underneath I-95.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of recreation area.

(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. Any development impacting wetlands will require permits 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 August 10, 2015, the required Notice of Public Hearing sign was posted.

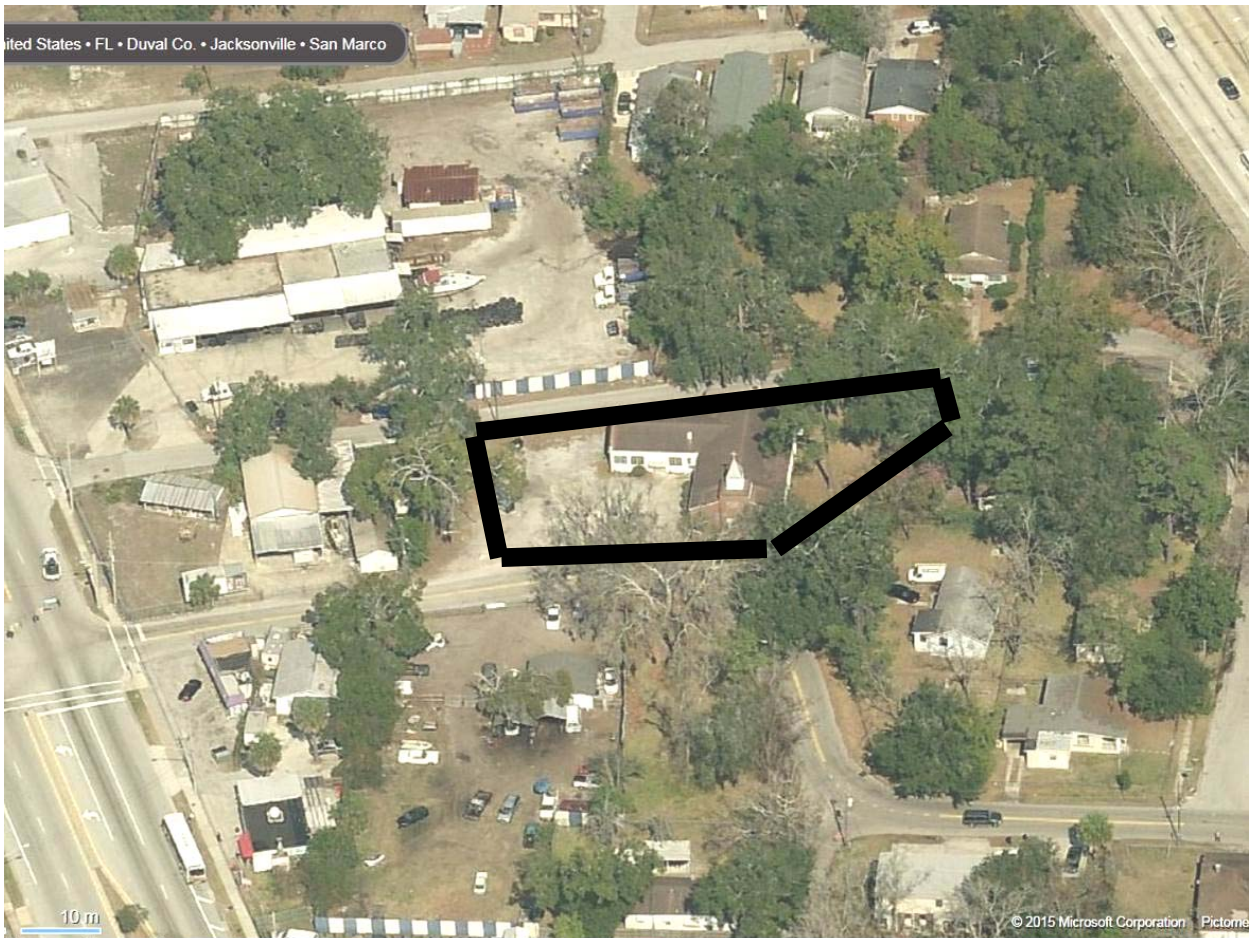




**RECOMMENDATION**

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 original legal description dated March 15, 2015.
2. The original written description dated March 26, 2015.
3. The original site plan dated March 16, 2015.
4. The subject property shall submit plans for review and approval to the Development Services Division.



Aerial view of site, looking north.



Main structure



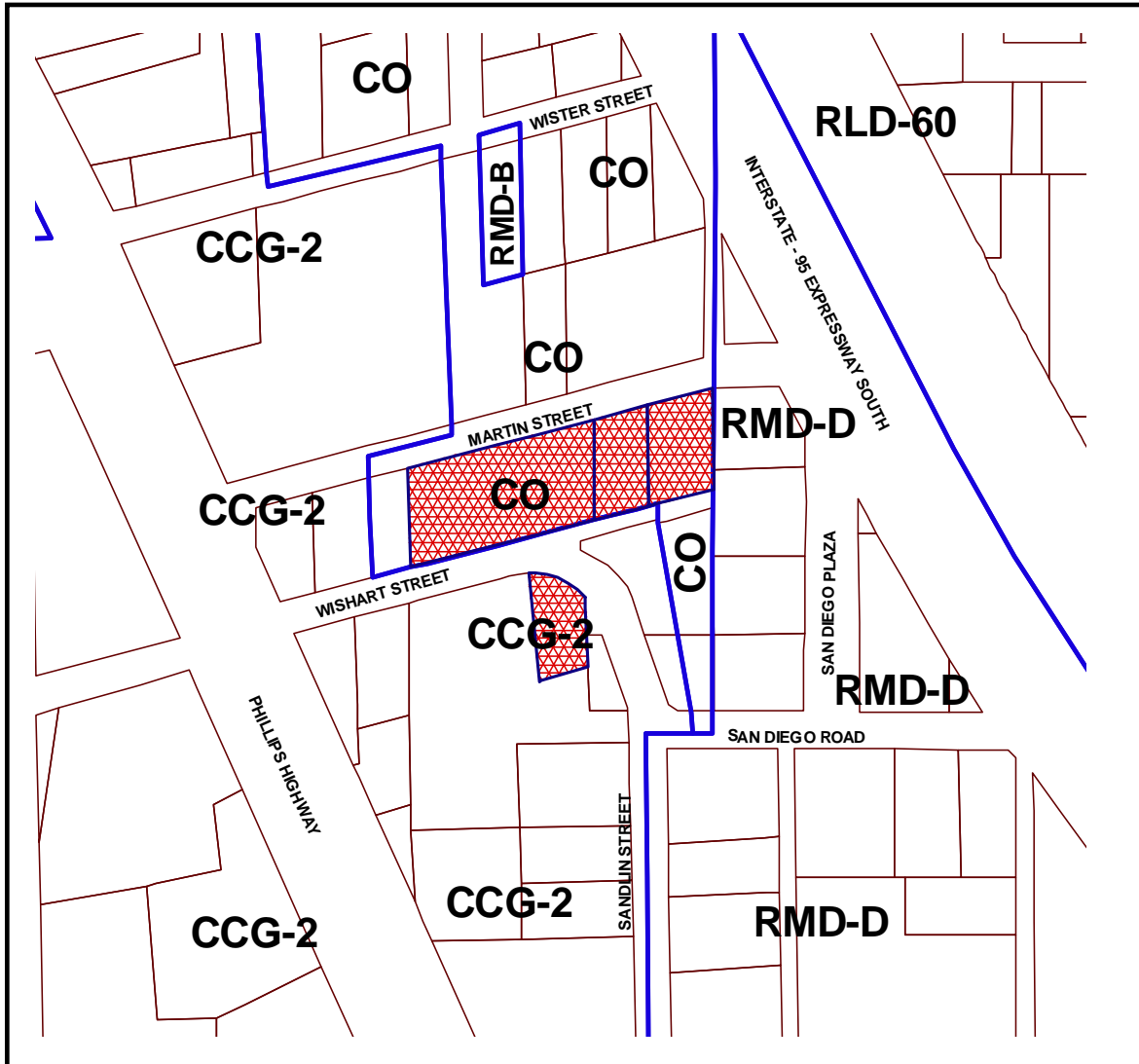
Main structure



Rear of subject site on Martin Street



Auto repair across street



<p>REQUEST SOUGHT:</p> <p><b>FROM: CO &amp; CCG-2</b></p> <p><b>TO: PUD</b></p>		<p>N W E S</p> <p>0 100 Feet</p> <p>COUNCIL DISTRICT: <b>5</b></p>
<p>ORDINANCE NUMBER: <b>ORD-2015-0521</b></p>	<p>TRACKING NUMBER: <b>T-2015-0809</b></p>	<p><b>Exhibit 2</b></p>