

# Exhibit D

## FOR YOUR CHILD ONLY PUD

March 7, 2017

### **I. SUMMARY DESCRIPTION OF THE PROPERTY**

- A. RE #: 025606-0000
- B. Current Land Use Designation: Community General Commercial (CGC)
- C. Current Zoning District: Commercial Neighborhood (CN)
- D. Proposed Zoning District: Planned Unit Development (PUD)
- E. Proposed Land Use Designation: CGC (no change proposed)
- F. Project Architect/Planner: Bruce D. Amaflitano, A.I.A.
- G. Project Owner/Developer: Rosa Wilcox, For Your Child Only Victory Land, Inc.

### **II. QUANTITATIVE DATA**

- A. Total Acreage: 1.00
- B. Total number of dwelling units: N/A
- C. Total amount of non-residential floor area: 5,532 s.f.
- D. Total amount of recreation area: N/A
- E. Total amount of open space: N/A
- F. Total amount of public/private rights of way: N/A
- G. Total amount of land coverage of all buildings and structures: 5,532 s.f.
- H. Phase schedule of construction (include initiation dates and completion dates):  
Initiation within 1 year; Completion within 3 years

### **III. SUMMARY AND PURPOSE OF THE PUD/COMPREHENSIVE PLAN CONSISTENCY**

Applicant seeks to rezone approximately 1.00 acre of land from CN to PUD to order to expand the existing child daycare center, while maintaining consistency with uses permitted in the CN zoning district. The parcel is located on the east side of Avenue B, bounded by a small shopping center to the north and a larger commercial development (anchored by a grocery store) to the south. Cemeteries are located to the east and northeast of the subject site, and single-family residential uses are located to the west of the parcel, across Avenue B which is classified as a local roadway. This portion of Avenue B is between Moncrief Road, a four-lane collector roadway, and Edgewood Avenue, a four-lane minor arterial roadway.

The subject property is currently owned by For Your Child Only Victory Land, Inc. and is more particularly described in the legal description attached as Exhibit 1 to this application. The property has current land use and zoning designations of Community General Commercial (CGC) and CN, respectively. The property is currently developed as a daycare center. Section 656.401.e.3 currently limits the maximum number of children served in the CN district to 150. The applicant seeks to expand the existing day care center use, not to exceed 300 children, while ensuring that the uses permitted are consistent with the CN zoning district instead of seeking a more intense commercial district, such as Commercial Community General-1 (CCG-1). Surrounding uses include: Public Buildings and Facilities (PBF)/PBF-2 to the south (undeveloped land and cemetery); Low Density Residential (LDR)/ Residential Low Density-60 (RLD-60) across Avenue B to the west (residential); CGC/CN to the east (commercial) and CGC/CN to the north (commercial).

The proposed amendment is consistent with the following goals, objectives, and policies of the 2030 Comprehensive Plan:

Future Land Use Element (FLUE) 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 1.1.22

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.

FLUE Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

### FLUE 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.

#### FLUE 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.

#### FLUE 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.

#### FLUE 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.

#### FLUE Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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.

The parcel currently consists of an existing day care center and seeks a rezoning in order to increase the number of children served by the facility; this would allow for an increase in service to the nearby residences. Additionally, the continued commercial use of this property promotes the use of existing commercial areas in lieu of permitting new areas to commercialize. For these reasons and because of the compatible relationship between the residential and commercial uses in the area, the proposed rezoning is consistent with FLUE Goals 1 and 3; Objectives 1.1, 3.2, and 6.3; and Policies 1.1.22, 3.2.2, and 3.2.7. Additionally in the JEA service availability letter (dated August 19, 2016) provided by the applicant, the property is serviced by public water and sewer. Both sanitary sewer and potable water lines are available to the site thereby meeting the need of FLUE Policy 1.2.9.

#### **IV. SITE SPECIFICS**

Surrounding land use designations, zoning districts, and existing uses are as follows:

	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Use</b>
South	PBF	PBF-2	Undeveloped/ Cemetery
East	CGC	CN	Commercial/Retail
North	CGC	CN	Commercial/ Retail
West	LDR	RLD-60	Single-family

#### **V. USES AND RESTRICTIONS**

##### **A. Permitted Uses and Structures:**

- (1) Day care centers meeting the performance standards and development criteria set forth in Part 4. Child or adult care centers/day care centers within this PUD shall be limited to a maximum of 300 children or adults.
- (2) Medical and dental or chiropractor offices and clinics (but not hospitals).
- (3) Professional and business offices.
- (4) Multi-family residential vertically integrated with a permitted use on the ground floor.
- (5) Neighborhood retail sales and service establishments, however no individual building footprint shall exceed 40,000 square feet.
- (6) Service establishments such as barber or beauty shops, shoe repair shops.
- (7) Restaurants without drive-in or drive-through facilities.
- (8) Banks without drive-thru tellers and financial institutions, travel agencies and similar uses.
- (9) Libraries, museums and community centers.
- (10) An establishment or facility which includes the retail sale of beer or wine in sealed containers for off-premises consumption.
- (11) Veterinarians meeting the performance standards and development criteria set forth in Part 4.
- (12) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- (13) Employment office (but not a day labor pool).
- (14) Churches, including a rectory or similar use, meeting the performance standards and development criteria set forth in Part 4.
- (15) Art galleries, dance, art, gymnastics, fitness center, martial arts, music and photography studios, and theaters for stage performances (but not motion picture theaters).

**B. Permissible Uses by Exception:**

- ~~(1) Off street parking lots for premises requiring off street parking meeting the performance standards and development criteria set forth in Part 4.~~
- ~~(2) Filling or gas stations, with ancillary single bay automated car wash, meeting the performance standards and development criteria set forth in Part 4.~~
- ~~(3) Retail outlets for sale of used wearing apparel, toys, books, luggage, jewelry, cameras and sporting goods.~~
- ~~(4) An establishment or facility which includes the retail sale of beer or wine for on-premises consumption.~~
- ~~(5) An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on premises consumption.~~
- ~~(6) Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance standards and development criteria set forth in Part 4.~~
- ~~(7) Drive thru facilities in conjunction with a permitted or permissible use or structure.~~
- ~~(8) Animal boarding for household pets, meeting the performance standards and development criteria set forth in Part 4.~~
- ~~(9) Automated Car Washes meeting the performance standards and development criteria set forth in Part 4.~~

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**C. Limitations on Permitted or Permissible Uses by Exception:**

All of the permitted or permissible uses by exception are subject to the following provisions unless otherwise provided for:

- (1) Sale, display, preparation and storage shall be conducted within a completely enclosed building.
- (2) Products shall be sold only at retail.

**D. Permitted Accessory Uses and Structures:**

Per Section 656.403 of the Zoning Code.

**VI. DESIGN GUIDELINES**

**A. Lot Requirements:**

- (1) Minimum lot width – 75 feet, except as otherwise required for certain uses.
- (2) Minimum lot area – 7,500 square feet, except as otherwise required for certain uses.
- (3) Maximum Lot Coverage by all buildings and structures: 50 percent
- (4) Minimum Yard Requirements:
  - (i) Front—10 feet or, where the lot is adjacent to a residential district the required front yard setback of the residential district, whichever is greater.
  - (ii) Side—None.
  - (iii) Rear—Ten feet.

(5) **Maximum Height of Structures:**

60 feet, provided the building height shall not exceed 45 feet when adjacent to a single family use of zoning district

**B. Ingress, Egress, and Circulation:**

(1) **Parking**

The site shall contain 18 parking spaces. This shall be deemed sufficient for the number of children served by the daycare center use.

(2) **Vehicular Access**

Vehicular access to the property shall be by way of Avenue B. A circular drive shall be provided to accommodate the stacking of vehicles and for the safe passage of children.

(3) **Pedestrian Access**

Pedestrian access shall be provided in accordance with the 2030 Comprehensive Plan.

**C. Signs:**

Signage shall be consistent with the CN zoning district and all other regulations per Section 656, Part 13 of the Zoning Code.

**D. Landscaping:**

The Property shall be developed in accordance with Section 656, Part 12 of the Zoning Code.

**E. Recreation/Open Space:**

This is a non-residential development; no recreation and open space is provided.

**F. Utilities:**

Water will be provided by JEA.

Sanitary sewer will be provided by JEA.

Electric will be provided by JEA.

**VII. STATEMENTS**

**A. How does the proposed PUD differ from the usual application of the Zoning Code?**

The PUD is consistent with uses allowed for in the CN district but allows for an increase in the maximum number of children and adults served by care centers as a permitted use. In doing so, the PUD intensifies one use under the CN zoning district without adding all of the commercial uses that would be permitted within a more intense commercial district.

- B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City.**

All areas will be maintained by the owner.

#### **VIII. LAND USE TABLE**

A Land Use Table is attached hereto as Exhibit F.

#### **IX. PUD REVIEW CRITERIA**

- A. Consistency with the Comprehensive Plan:** As described above, the uses proposed herein are consistent with the CGC land use category and the Urban Development Area.
- B. Consistency with the Concurrency Management System:** The PUD will comply with the Concurrency and Mobility Management System.
- C. Allocation of Residential Land Use:** There is no proposed residential development for the Parcel.
- D. Internal Compatibility:** The PUD provides for integrated design and compatible uses within the PUD.
- E. External Compatibility/Intensity of Development:** The PUD proposes uses and provides design mechanisms which are compatible with surrounding uses.
- F. Maintenance of Common Areas and Infrastructure:** All common areas will be maintained by the owner.
- G. Usable Open spaces, Plazas, Recreation Areas:** There are no required open spaces, plazas, or recreation areas required as the proposed uses are of a commercial nature.
- H. Impact on Wetlands:** There are no wetlands on the Parcel.
- I. Listed Species Regulations:** There are no endangered species or species of concern located on this Parcel.
- J. Off-Street Parking Including Loading and Unloading Areas:** The PUD provides ample off-street parking.
- K. Sidewalks, Trails, and Bikeways:** There are no sidewalks or bicycle facilities on the east side of Avenue B. A sidewalk is provided along the west side of Avenue B, across from the property.