

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2016-0726 TO

PLANNED UNIT DEVELOPMENT

DECEMBER 8, 2016

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 **2016-0726** to Planned Unit Development.

Location: 3190 Edgewood Avenue West; on the south side of Edgewood Ave. between New Kings Road and Cleveland Road

Real Estate Number(s): 041934-0000

Current Zoning District: Commercial Office (CO)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Northwest, District 5

Planning Commissioner: Ben Davis

City Council District: The Honorable Reginald Brown, District 10

Applicant/Agent: Steve Diebenow, Esq.
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: SP HV Apartments, LLC
2430 Estancia Boulevard, Suite 114
Clearwater, Florida 33761

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2016-0726** seeks to rezone approximately 3.50 acres of land from Commercial Office (CO) to Planned Unit Development (PUD). The rezoning to PUD is being sought so that the property can remain developed as a multi-family

apartment complex use. The property, consists of eight (8) multifamily dwellings with a total of sixty (60) one-bedroom units ranging from 540 to 544 square feet, and sixty-two (62) parking spaces including five (5) ADA accessible spaces built in 1969. The proposed PUD allows for commercial office uses, and includes multi-family dwellings as well.

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. 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 while promoting the advancement of existing commercial land uses and the use of existing infrastructure. 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 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. 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:

FLUE 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.

FLUE Policy 1.1.16 Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:

1. Creation of like uses;
2. Creation of complementary uses;
3. Enhancement of transportation connections;
4. Use of noise, odor, vibration and visual/ aesthetic controls; and/or
5. Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.

FLUE 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.

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 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 current development of the property with a multi-family apartment complex is consistent with Policies 1.1.11, 3.2.1, 3.2.2 and Objective 6.3. Although the property has a land use of CGC it has been used for multi-family housing since 1969. The property is bordered by LDR and RLD-60 properties and the PUD provides buffer zones and landscaping between the uses to mitigate adverse land use impacts on adjacent uses during development and redevelopment as stated in Policy 1.1.16.

(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. Under the provisions of Sec. 655.108(a)(1) – de minimus development - the change in use of a structure completed as of Ordinance 2011-536-E, without addition of square footage, from a lawful use within a presently applicable zoning district to a similar permitted use within the same zoning district shall be exempt from all CMMSO review. Otherwise, the proposed development may require an application for a Mobility Fee Calculation Certificate (MFCC) and Concurrency Reservation Certificate (CRC). Offsetting

credit for previous or existing structures on the property is granted if adequately documented by the applicant.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to continue the utilization of lands for a multi-family 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 separation and buffering of vehicular use areas and sections of vehicular use areas: The proposed PUD and site plan indicate vehicular use areas provide the minimum required landscaping for separation and screening of parking areas.

Compatible relationship between land uses in a mixed use project: The proposed uses are the same that can be found in the CO Zoning District. Therefore they are compatible and will not create adverse impact to each other when adjacent.

(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 a corridor which contains commercial zoning districts along Edgewood Avenue as well as low intensity residential districts farther down the road. Commercial development and the limitations contained in the PUD are compatible with the adjacent zoning districts.

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/LDR | CO/RLD-60 | Church/undeveloped |
| South | LDR | RLD-60 | Single-family dwellings beyond 30' wide drainage easement |
| East | RPI | CRO | Medical office |
| West | RPI | CRO | Undeveloped |

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 adjacent properties to the east and west are designated Commercial Residential Office (“CRO”) consisting of a vacant lot and medical complex, and the property immediately adjacent to the south is designated Residential Low Density consisting of single-family homes. The property was originally developed in 1969 with eight (8) multifamily dwellings with a total of sixty (60) one-bedroom units ranging from 540 to 544 square feet, and sixty-two (62) parking spaces including five (5) ADA accessible spaces as more particularly depicted on the site plan and has served as a multiple-family dwellings since that time. All the owner would like to do is bring the multi-family use into compliance with the Zoning Code through this PUD application. The Hampton Villa PUD will permit the current owner to maintain and improve the property to continue to meet the areas housing demand. The PUD provides for incorporation of existing multiple-family dwellings which serve as a transitional use between the surrounding commercial properties and abutting single-family dwellings which could not be accomplished through conventional zoning. The PUD design ensures consistency with the surrounding zoning and existing uses. The proposed rezoning and existing development have enhanced the viability of this commercial and residential area.

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category as a commercial development. The PUD is appropriate at this location because it will support the existing commercial service establishments and residential uses in the area.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The PUD proposes a primary access to Edgewood Avenue West.

(7) Usable open spaces plazas, recreation areas.

The project has been developed with the required amount of open space. The total amount of recreation area provided is 19,440 sq. ft.

(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.

Any future development of the site will be in accordance with Part 6 of the Zoning Code. The owner requests that the existing parking remain for the multi-family use, which is a total of sixty-two (62) spaces provided, including five (5) ADA accessible spaces.

(11) Sidewalks, trails, and bikeways

The project contains a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on November 29, 2016, 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 **2016-726** be **APPROVED with the following exhibits:**

1. The original legal description dated September 7, 2016.
2. The original written description dated October 3, 2016.
3. The original site plan dated August 1, 2016.



Aerial view of property



View of property facing southeast from Edgewood Ave



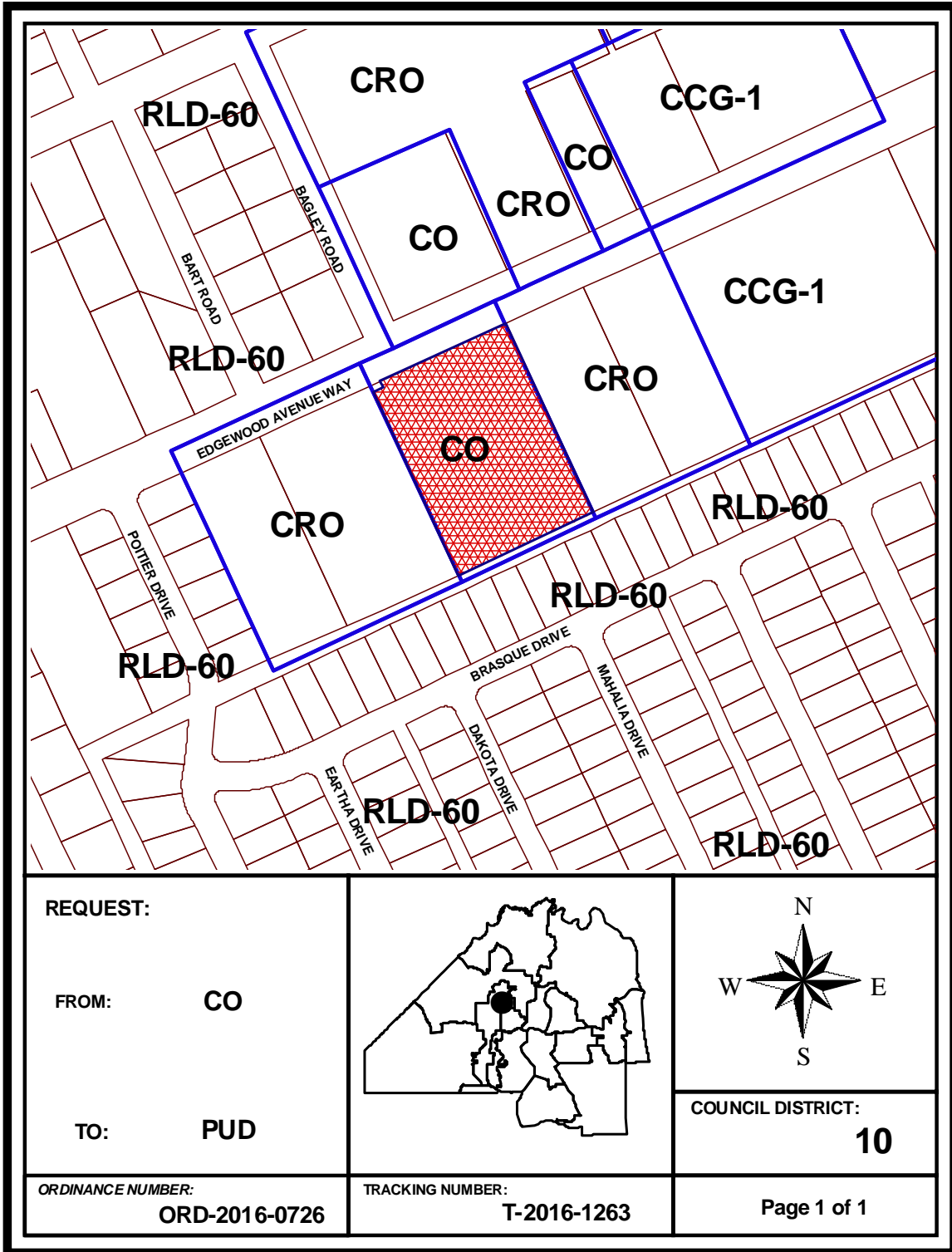
View of property facing southeast from Edgewood Ave.



Facing east along Edgewood Ave. with the subject site on the right



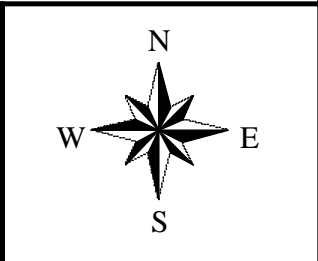
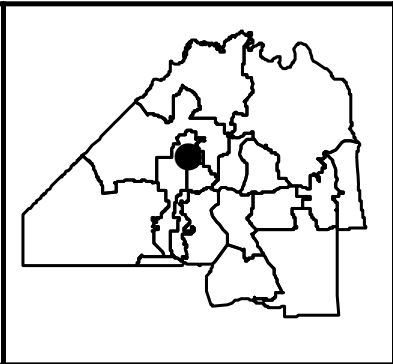
Facing west along Edgewood Ave. with the subject site on the left



REQUEST:

FROM: CO

TO: PUD



COUNCIL DISTRICT:
10

ORDINANCE NUMBER:
ORD-2016-0726

TRACKING NUMBER:
T-2016-1263

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