

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

**APPLICATION FOR REZONING ORDINANCE 2016-804 TO**

**PLANNED UNIT DEVELOPMENT**

**JANUARY 19, 2017**

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 2016-804 to Planned Unit Development.

***Location:*** End of Brightman Boulevard

***Real Estate Number(s):*** 167727-0525, 167728-0110

***Current Zoning District:*** Planned Unit Development (PUD 2012-15)

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

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

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

***Planning Commissioner:*** Daniel Blanchard

***City Council District:*** The Honorable Scott Wilson, District 4

***Applicant/Agent:*** Wyman R. Duggan, Esq.  
Rogers Towers, PA  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

***Owner:*** Arthur Chester Skinner, Jr. Trust  
% Chris Strohmenger  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

***Staff Recommendation:*** **APPROVE WITH CONDITIONS**

### **GENERAL INFORMATION**

Application for Planned Unit Development 2016-804 seeks to rezone approximately 45.2 acres of land from PUD to PUD. The rezoning to PUD is being sought to allow for multi-family and commercial retail uses. Phase I (16.07 acres) will be for 400 multi-family units. Phase II (12.18 acres) will contain either 150,000 square feet of commercial retail uses or 400 multi-family units. The CGC land use category requires residential uses shall not be the sole use and shall not exceed 80% of the development. Any development of Phase II must meet these restrictions.

### **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. 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. 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.

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.

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 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. However, where this land use category has been established by a small scale land use amendment, the maximum density shall be ten units per acre or less for any residential component unless this amendment meets the requirements of s163.3187(1)(c)1.f., Florida Statutes.

The CGC land use category requires residential uses shall not be the sole use and shall not exceed 80% of the development. Any development of Phase II must meet these restrictions.

*(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 1.1.11 Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.

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 1.1.22 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 1.3.8 The City shall require through the development review process, the interconnections of land uses in order to reduce the need for trip generation and encourage alternative methods of movement. The development review criteria shall include provisions for convenient on-site traffic flow, considering need for vehicular parking.

FLUE GOAL 3 To achieve a well-balanced and organized combination of residential, nonresidential, 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.

*(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 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 existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The written description indicates that at least 150 square feet of recreation area will be provided per dwelling unit. The site plan is generic and does not show the building configuration, however the written description does provide for minimum separation distances between buildings that is in keeping with the City's standards.

The treatment of pedestrian ways: The written description indicates a sidewalk will be provided along the access road from the terminus of Brightman Boulevard to Parcel 1 (Multi-family). Also the written description indicates a six foot wide path from Parcel 1 to the St Johns Town Center within the JEA easement may be constructed but is not required. **This secondary access is an important feature to reduce the automobile congestion that is currently seen in the center. The staff recommends the path be required and be a minimum of 10 feet in width.**

Traffic and pedestrian circulation patterns: Vehicular access is from Brightman Boulevard and the intersection of Town Center Parkway, which is signalized.

The use and variety of building setback lines, separations, and buffering: The written description provides setbacks and other development standards which are consistent with RMD zoning district standards, except for building height. The PUD proposes a maximum height of 65 feet. Staff is of the opinion that the increased height will not negatively affect the surrounding property owners.

Compatible relationship between land uses in a mixed use project: Parcel 1, which is the multifamily use, is located on the southern portion of the property away from the existing Top Golf facility, which may create lighting impacts to the residential use.

*(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, commercial and institutional uses function as a mixed-use development. Multi-family and commercial development at this location complements the existing commercial, office and commercial uses by increasing the housing

options in the immediate area.

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	CGC	PUD (15-369)	Top Golf recreation facility
South	BP	IBP	Undeveloped / FDOT pond
East	PBF	PBF-1	I-295 / University of North Florida
West	MU	PUD (05-411)	St. Johns Town Center

*(6) Intensity of Development*

The proposed development is consistent with the CGC functional land use category as a multi-family and commercial development, which is not to exceed 800 dwelling units. The PUD is appropriate at this location because it will support the existing offices, service establishments and commercial uses in the area.

The availability and location of utility services and public facilities and services:

SCHOOL	CONCURREN- CY SERVICE AREA	STUDENT S GENERAT- ED	SCHOO L CAPACI- TY (16/17)	CURRENT ENROLLM- ENT 20 Day Count (16/17)	% OCCUPI- ED	CURRENT 4 YEAR PROJECTI- ON
Windy Hill ES #94	4	134	652	580	89%	95%
Twin Lakes Academy MS #253	4	58	1,462	1,168	80%	98%
Englewood HS #90	4	74	1,864	1,803	97%	95%

Due to the class size amendment, the capacity of Duval County schools is currently under review. The School Board, with the support of the planning and Development Department through the Joint Planning Committee of the Jacksonville City Council and the Duval County School Board, is working on addressing enrollment and capacity issues in several ways, including site acquisition. In addition, the School Board has options to address student enrollment at specific schools including boundary adjustment, changes in special assignments and adjustments to magnet programs.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The development will have access to a signalized intersection in close proximity to I-296, JTB Boulevard, Southside Boulevard and Town Center Parkway.

*(7) Usable open spaces plazas, recreation areas.*

The project will be developed with the required amount of open space and 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. 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.

*(11) Sidewalks, trails, and bikeways*

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan. The written description indicates a sidewalk will be provided along the access road from the terminus of Brightman Boulevard to Parcel 1 (Multi-family). Also the written description indicates a six foot wide path from Parcel 1 to the St Johns Town Center within the JEA easement may be constructed but is not required. This secondary access is an important feature to reduce the automobile congestion that is currently seen in the center. **The staff recommends the path be required and be a minimum of 10 feet in width.**

### SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on January 6, 2017, 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 2016-804 be **APPROVED with the following exhibits**:

1. The original legal description dated September 9, 2016.
2. The original written description dated November 29, 2016.
3. The original site plan dated August 2, 2016.
4. The subject property shall be developed in accordance with the Transportation Planning Division Memorandum dated December 28, 2016 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 2016-804 be **APPROVED subject to the following conditions, which may only be changed through a rezoning**:

1. A minimum 10 feet wide path consisting of asphalt or concrete shall be constructed and maintained from Parcel 1 to Big Island Drive in the St. Johns Town Center, subject to the review and approval of the Planning and Development Department.
2. Prior to requesting a final building inspection or occupying the facility in any manner, the lead horizontal and lead vertical design professionals shall submit to the Planning Department separate certification letters confirming that all horizontal and vertical



components of the development have been substantially completed, and all conditions to the development order have been satisfied. This condition shall apply to both phased and non-phased developments.



View of site at end of access road from Brightman Boulevard.



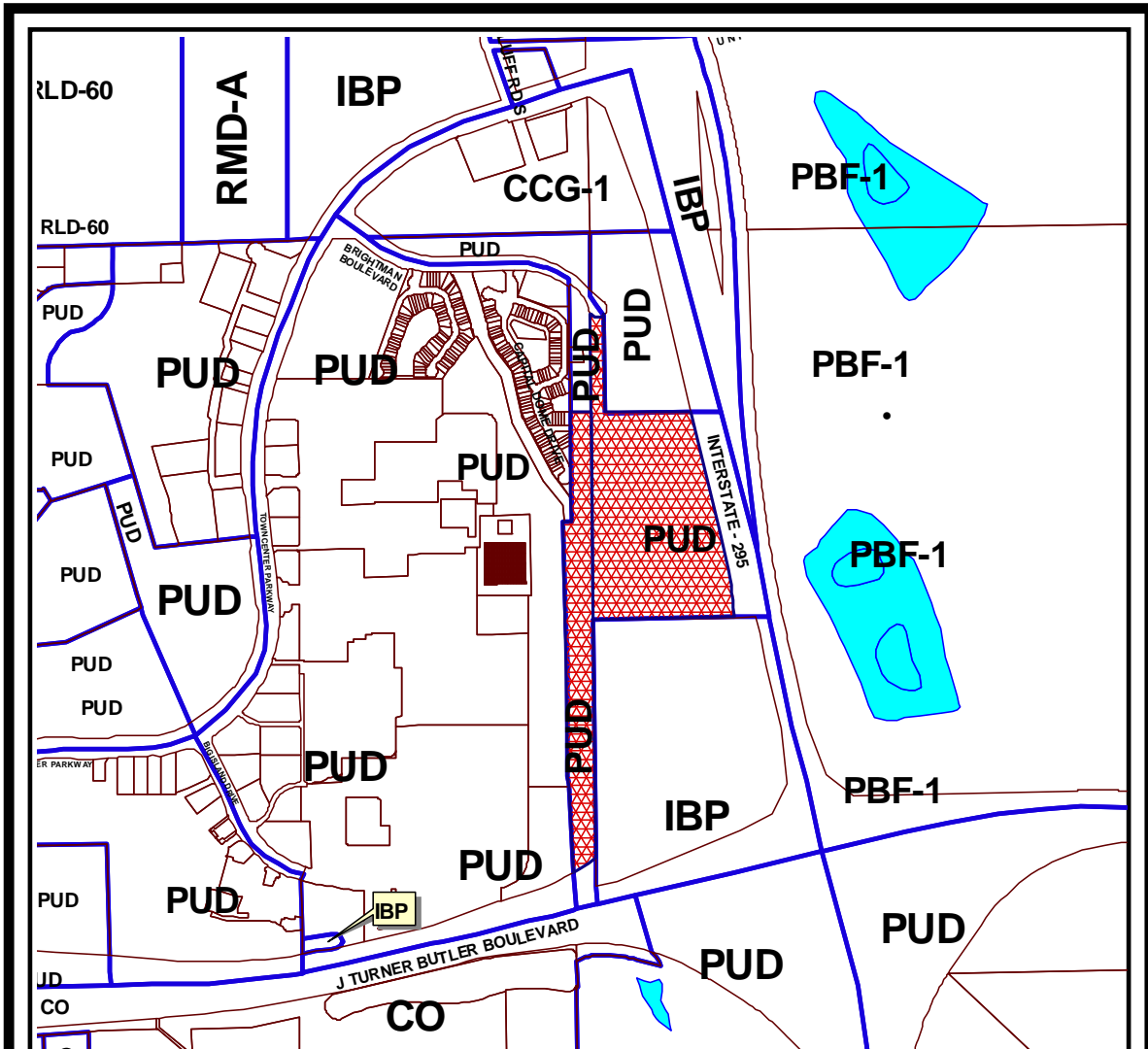
End of access road and Top Golf facility



View of site from Big Island Drive and St. Johns Town Center



Aerial view of property



<p>REQUEST:</p> <p>FROM: PUD</p> <p>TO: PUD</p>		
<p>ORDINANCE NUMBER:  <b>ORD-2016-0804</b></p>	<p>TRACKING NUMBER:  <b>T-2016-1238</b></p>	<p>COUNCIL DISTRICT:  <b>04</b></p> <p>Page 1 of 1</p>