

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2017-275 TO

PLANNED UNIT DEVELOPMENT

MAY 4, 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 **2017-275** to Planned Unit Development.

Location: 11100 Wingate Road between Dunn Avenue and Ranie Road

Real Estate Number(s): 02053-0010 and 020252-0120

Current Zoning District: Residential Rural-Acre (RR-Acre)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Planning District: North, District 6

Planning Commissioner: Marshall Adkison

City Council District: The Honorable Katrina Brown, District 8

Applicant/Agent: Kesha Sterling
New Life Learning Center
1110 Wingate Road
Jacksonville, Florida 32218

Owner: Jacob Williams
New Life Community United Methodist Church, Inc.
5131 Foxboro Road
Jacksonville, Florida 32208

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2017-275** seeks to rezone approximately 5.83 acres of land from RR-Acre to PUD. The rezoning to PUD is being sought so that the property can be developed with as a day care with 97 children and 9 staff members. The subject property contains one structure; an L-shaped church and classroom building with approximately 12,810 square feet constructed in 1971. Part 4 of the Zoning Code, the allowed maximum number of children in the RR-Acre Zoning District are limited to fourteen (14) children. The PUD requests to waiver this section of Part 4 to increase the number of children.

Included in the application is a letter dated December 6, 2016 from the Florida Department of Children and Families stating that the proposed daycare facility would meet their requirements for eighty-nine (89) children and five (5) staff members. Also included is a Neighborhood Search Map from Florida Department of Law Enforcement showing that no sexual predators live within a half (0.5) mile radius of the proposed day care facility.

The property is previously used as a daycare for ninety-seven (97) children and nine (9) staff, Kingdom Kids Learning Center (COU #6262.0). This COU was approved through an Amendment to Final Orders of Exception, E-06-13, approved on March 16, 2006. E-06-13 was granted to Rev. Candace M. Lewis. This exception is the result of change of the license holder for the daycare.

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 Low Density Residential (LDR) 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 Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. New residential subdivisions in LDR should be connected to reduce the number of Vehicles Miles Traveled and cul-de-sacs should be avoided. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein. 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.

Principal Uses: Single family and Multi-family dwellings; Commercial retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND site area; and Other uses associated with and developed as an integral component of TND.

Secondary Uses: Secondary uses shall be permitted pursuant to the Residential land use introduction. In addition the following secondary uses may also be permitted: Borrow pits; Animals other than household pets; Foster care homes; Drive through facilities in conjunction with a permitted use; Assisted living facilities and housing for the elderly, so long as said facilities are located within three miles of a hospital and on an arterial roadway.

(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): Low Density Residential (LDR). 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 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

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 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

(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 commercial 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 treatment of pedestrian ways: The development will be required to provide pedestrian walks from the existing sidewalks along Wingate Road to the building.

Traffic and pedestrian circulation patterns: There are two access points on Wingate Road connected by a drive. This vehicular circulation will allow safe and efficient unloading/loading of children.

The use and variety of building setback lines, separations, and buffering: The written description provides the same setbacks as the RR-Acre Zoning District.

The separation and buffering of vehicular use areas and sections of vehicular use areas: The site plan shows adequate vehicular circulation and vehicular use areas to accommodate the proposed day care use.

The particular land uses proposed and the conditions and limitations thereon: The written

description has kept the permitted or permissible uses found in the RR-Acre Zoning District, except that day cares are allowed up to 97 children. This will maintain the character of the neighborhood.

(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 that is predominately single family dwellings with a variety of lot sizes. A day care at this location complements the existing hospital residential uses for those 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	RPI	PUD (04-1197)	Office condominiums
South	LDR	RR-Acre	Single family dwellings
East	LDR	PUD (96-404)	Single family subdivision
West	MDR	RMD-A	Church

(6) Intensity of Development

The proposed development is consistent with the LDR functional land use category as a commercial day care development. The PUD is appropriate at this location because it will offer a use for the existing offices and residential uses in the area.

The existing residential density and intensity of use of surrounding lands: The immediate area contains a variety of residential lot sizes. TO the south lots are approximately one acre, to the east lots are 21,780 square feet to 10,000 square feet.

The amount and size of open spaces, plazas, common areas and recreation areas: There is adequate room on the site for the required play area.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject property is located on Wingate Road which connects to Dunn Avenue and Capper Road both of which connect to Lem Turner Road.

(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. 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*

There is an existing sidewalk on the west side of Wingate Road. The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on April 20, 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 **2017-275** be **APPROVED** with the following exhibits:

1. The original legal description dated February 21, 2017.
2. The original written description dated February 21, 2017.
3. The original site plan dated February 21, 2017.



View of subject property



Aerial view of subject property



View of subject property



Residential dwelling across from subject property

