

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2017-0356**

**TO PLANNED UNIT DEVELOPMENT**

**JUNE 8, 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 2017-0356 to Planned Unit Development.

***Location:*** 905 Assisi Lane; on the north side of Assisi Lane;  
between Cypress Landing Drive and A1A

***Real Estate Number(s):*** 169385 0200

***Current Zoning District:*** Planned Unit Development (PUD) (Ord. 2014-0678-E)

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

***Current Land Use Category:*** Medium Density Residential (MDR)

***Planning District:*** Greater Arlington/Beaches – 2

***Planning Commissioner:*** Vacant

***City Council Representative:*** The Honorable Bill Gulliford, District 13

***Applicant/Agent:*** Nicholas Mousa, AICP  
JBC Planning and Engineering, LLC  
1450 Flagler Avenue  
Jacksonville, Florida 32207

***Owner(s):*** Carson McCall  
Anthem Lakes, LLC  
6104 Gazebo Park Place South  
Jacksonville, Florida 32258

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

**GENERAL INFORMATION**

Application for Planned Unit Development 2017-0356 seeks to rezone approximately 14.54± acres of property from PUD to PUD. The owners have proceeded with the development of a 90,000+ square foot Assisted Living Facility. This rezoning to PUD is being sought for the

sole purpose of allowing the uses below, in conjunction with the assisted living facility where not previously allowed:

1. An establishment or facility which includes the retail sale of beer and/or wine for on-premises consumption.
2. Permanent or restricted outside sale and service in conjunction with a restaurant, meeting the performance standards and criteria set forth in Chapter 656, Part 4.
3. An establishment or facility which includes the retail sale of liquor for on-premises consumption in conjunction with a bona fide restaurant.

The uses and restrictions in the PUD are the same as previously approved by the City Council in Ordinances 2006-1074-E and 2014-0142-E. No other changes are proposed to the conditions or written description of those approved Ordinances.

The 2014-0142 PUD rezoning permitted an alternative/additional development plan for an assisted living facility and ancillary uses (defined as an adult congregate living facility). This PUD established a development plan for the assisted living facility, while retaining all rights to develop multi-family as an alternate use as set forth under 2006-1074-E. In the event that the owners elect to develop the property consistent with Ordinance 2006-1074-E, a new Exhibit E – PUD Site Plan shall be submitted for review and approval via the PUD minor modification process. All permitted uses, development criteria, and conditions of approval for the multi-family development plan outlined under Ordinance 2006-1074-E and 2014-0142-E shall remain in effect for multi-family development, and nothing contained in this application seeks to modify those criteria governing multi-family development. This PUD only amends the existing PUD to allow for these additional uses.

### **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 Medium Density Residential (MDR) 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 MDR functional land use category is intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas, and provides for a range of secondary and supporting uses, including an assisted living facility. In the Suburban Area it's intended to provide compact low to medium density mixed use development. This PUD proposes the ability to sell and serve alcoholic beverages in conjunction with the newly constructed assisted living facility, and 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.

The proposed rezoning would further Future Land Use Element (FLUE) Policy 3.1.6 which states that the City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

FLUE Policy 1.1.7 states that the City shall promote the “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.” An assisted living facility on this site may be considered a transitional use.

FLUE Policy 3.1.10 states that the City shall include incentives in the Land Development Regulations for projects serving the elderly that are accessible to medical services, transportation, and other necessary support systems.

FLUE Policy 3.2.6 calls for the City to “allow a broad mixture of supporting recreational, commercial, public facilities and services in mixed use residential developments.” The alternative development plan proposed would provide an additional essential service to and for the surrounding area.

This PUD proposes a use in conjunction with an assisted living facility and incorporates all the commitments, conditions of approval and entitlements of the original PUD, 2014-0142, and adds this facility as a permitted use by right on the aforementioned 14.54 acre parcel. Therefore, the request 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.

*(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 meet all portions of the City's land use regulations and further 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): Medium Density Residential (MDR). 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 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 1.1.7 states that the City shall promote the “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.” An assisted living facility use on this site may be considered a transitional use.

FLUE Policy 1.1.9 Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

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 3.2.6 calls for the City to “allow a broad mixture of supporting recreational, commercial, public facilities and services in mixed use residential developments.” The alternative development plan proposed would provide an additional essential service to and for the surrounding area.

The proposed PUD differs from the usual application of the Zoning Code because it allows for the development option of an assisted living facility in lieu of an multi-family residential community.

*(2) Consistency with the Concurrency Mobility and Management System*

Pursuant to the provisions of Chapter 655 Concurrency Mobility and Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency Mobility and Management System Office (CMSO) prior to development approvals. This PUD has been assigned City Development Number 9001.

*(3) Allocation of residential land use*

This proposed Planned Unit Development intends to add the use of an assisted living facility and 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 PUD proposes amending PUD 2014-0142-E to add alcohol sales and service to the assisted living facility and all ancillary uses associated with it as a permitted use by right on the subject 14.54 acre parcel. Examples of ancillary uses for assisted living may include, but are not limited to administrative/sales and marketing offices, physical and mental rehabilitation facilities, both passive and active recreation space including adult playgrounds, fishing piers, shuffle board, and walking paths, and aesthetic features such as community gardens, gazebos, arbors and/or pergolas, hardscape plazas, flag pole monuments/plazas, etc. All ancillary uses shall be limited to the use of, or provided in support of facility residents only.

Traffic and pedestrian circulation patterns: The PUD has one access point off of Assisi Lane, and one roadway within the property. Parking has been provided at 1 space per every four (4) beds and 1 space per employee during peak staffing times. The facility will have a maximum of 136 beds and is staffed 24 hours per day, 7 days a week. The total number of employees on-site at peak staffing times will be approximately 60. Based on these ratios and variables, the minimum parking required for this site is 94 spaces; however if less beds are provided and less employees employed during the peak staffing times, the total number of required spaces may be reduced in accordance with the stated ratios. In the event of project phasing, parking may be built all at one time, or phased accordingly as required to accommodate construction. A minimum of one (1) parking space may be provided for a shuttle bus owned and operated by the assisted living facility for the use of its residents only. The maximum number of parking spaces allowed will not exceed 112 spaces, and more than the required number of ADA parking spaces may be provided in order to meet the demand of the facility residents.

The use and variety of building setback lines, separations, and buffering: The Design guidelines for future residential uses under 2006-1074 are as depicted in the original PUD. The following criteria is proposed for the assisted living use only:

1. Minimum lot area: None.
2. Minimum lot width: None.
3. Maximum lot coverage: None.
4. Minimum front yard (Assisi Lane Setback): 20 feet.
5. Minimum side yard (East and West Boundaries): 10 feet.
6. Minimum rear yard (North Boundary): 10 feet.

7. Maximum height of structures: 35 feet. Height shall be measured from three (3) feet above the building's finished floor elevation to the peak of the roof. Spires, cupolas, antennas, chimneys, and other appurtenances not intended for human occupancy may be placed above 35 feet.

Signage: The site has one (1) internally or externally illuminated double-faced monument sign not to exceed twenty-four (24) square feet in area per side and twelve (12) feet in height located near the entrance to the development along Assisi Lane with a minimum ten (10) foot setback. On-site directional signage shall not exceed eight (8) square feet in area, and (6) feet in height. Wall signage may be permitted with one wall sign per building, not exceeding 24 square feet.

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any use within the proposed Planned Unit Development: The property is located in an existing diverse undeveloped and residential area on the north side of Assisi Lane and on the west side of SR A1A. The proposed project will be beneficial to the surrounding neighborhood and community. Further, the aesthetic and design guidelines contained in the PUD will positively contribute to the residential developments in the general area.

*(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 project is within an area where single-family and multi-family residential development dominates the area. The project area is suburban in nature and this new development will aid growth in this community. If approved, the PUD would add another essential service with flexibility in the location, type and size of the use.

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	MDR	PUD	Undeveloped land/school per PUD 2014-142-E (part of orig. PUD 2006-1074)
South	PBF/MDR	PBF-1/RMD-B	Retail/Naval Commissary/MF residential
East	MDR	RMD-C	MF residential developments/subdivisions
West	MDR	RMD-C	MF residential developments/subdivisions

*(6) Intensity of Development*

The PUD is appropriate at this location with specific reference to the following:

The existing residential density and intensity of use of surrounding lands: The use is consistent with the residential density and intensity of surrounding lands. This assisted living facility use on a small portion of the over 14 acres site will provide for a significant amount of recreational, active and passive open space, and differs from the usual application of the Zoning Code because it contains the option of retaining the multi-family community in keeping with the area's pattern of development per the original PUD. The requested use will not result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities. The facility does not require significant lighting on the site other than related to security and seasonal events. A wooded area along the north, south and west property lines serves as a buffer between the use and nearby residential development.

The availability and location of utility services and public facilities and services: This property is not in the JEA water and sewer service territory. The owner is provided water and sewer service by the City of Atlantic Beach. Electric service will be provided by the JEA.

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

The PUD will provide a minimum of 11 acres of overall recreation/common areas, including ponds, wetlands and passive open space.

*(8) Impact on wetlands*

Surveying of a 2004 Geographical Information Systems shape file did identify wetlands on-site. It is noted that approximately 50% of property on the west side of the parcel is within the 100 year floodplain (AE and A)', while a ribbon of land that divides the parcel into east and west segments, has been designated as a "0.2 Percent Annual Chance Flood Hazard-Floodway." Special design and construction techniques will be required for development proposed in the floodway, and the proposed assisted living facility must be designed, permitted and constructed to mitigate for the known hazards within the area, including flooding and storm surge. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

*(9) Listed species regulations*

No wildlife survey is required as the project is less than the 50-acre threshold.

*(10) Off-street parking including loading and unloading areas.*

The written description states that parking will be provided at 1 space per every four (4) beds and 1 space per employee during peak staffing times. The facility will have a maximum of 136 beds and will be staffed 24 hours per day, 7 days a week. The total number of employees on-site at peak staffing times will be approximately 60. Based on the proposed ratio and variables, the minimum parking required for this site will be 94 spaces; however if less beds are provided and less employees employed during the peak staffing times, the total number of required spaces may be reduced in accordance with the stated ratios. In the event of project phasing,

parking may be built all at one time, or phased accordingly as required to accommodate construction. A minimum of one (1) parking space may be provided for a shuttle bus owned and operated by the assisted living facility for the use of its residents only. The maximum number of parking spaces allowed will not exceed 112 spaces, and more than the required number of ADA parking spaces may be provided in order to meet the demand of the facility residents.

*(11) Sidewalks, trails, and bikeways*

There is existing concrete sidewalk along the entire length of the property's Assisi Lane frontage. For the assisted living facility, all internal sidewalks proposed will be reflected on the final project engineering plans. Any trails or bikeways developed will strictly be on-site as part of an active recreation amenity.

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on May 19, 2017 the required Notice of Public Hearing signs were posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2017-0356 be **APPROVED with the following exhibits:**

1. **The legal description dated March 16, 2017.**
2. **The written description dated April 25, 2017.**
3. **The original site plan dated August 27, 2014.**





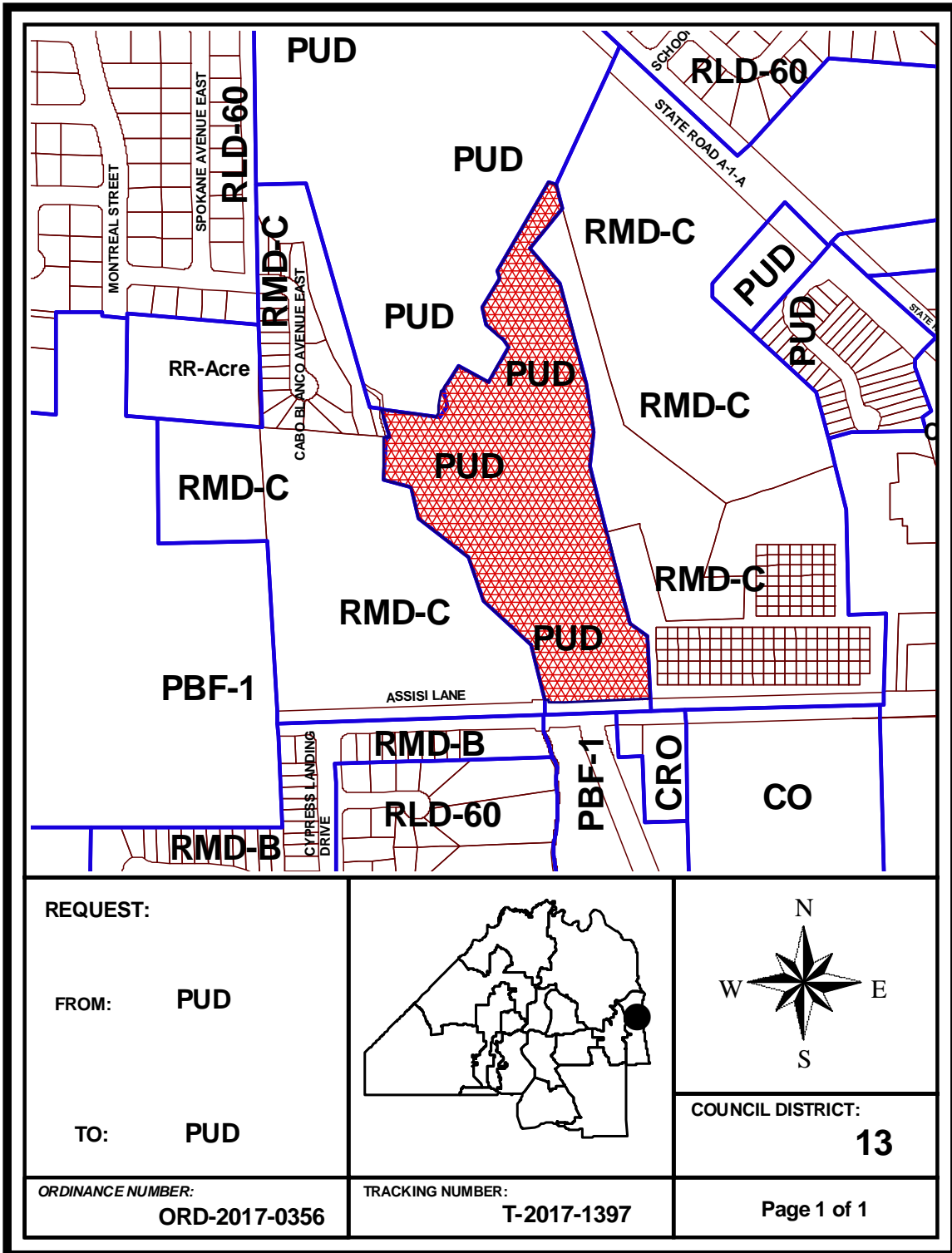
Aerial view of the subject site facing north



The subject site facing north from Assisi Lane



The subject site on the left facing east along Assisi Lane

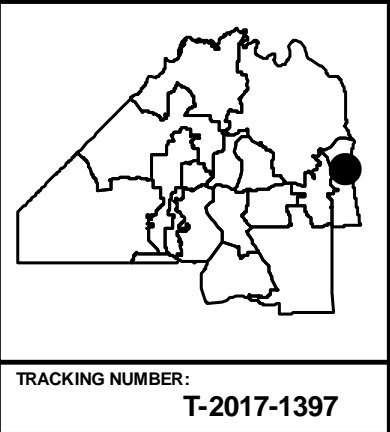


**REQUEST:**

**FROM:** PUD

**TO:** PUD

**ORDINANCE NUMBER:**  
 ORD-2017-0356



**COUNCIL DISTRICT:**  
 13

**TRACKING NUMBER:**  
 T-2017-1397

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