

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2017-476 TO

PLANNED UNIT DEVELOPMENT

AUGUST 17, 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 **2017-476** to Planned Unit Development.

Location: 5931 Atlantic Boulevard between University Boulevard and River Bank Court

Real Estate Number(s): 133842-0000

Current Zoning District: Planned Unit Development (PUD 1999-149-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)
Community General Commercial (CGC)

Planning District: Greater Arlington/Beaches, District 2

Applicant/Agent: Bradley Wester
Driver, McAfee, Peek & Hawthorne, PL
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: Jacqueline M. Stiles
5931 Atlantic Boulevard
Jacksonville, Florida 32211

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2017-476** seeks to rezone approximately 1.2 acres of land from PUD to PUD. The rezoning to PUD is being sought so that the property can be developed with neighborhood retail and service establishments. The current PUD was approved to allow an existing print, typesetting and graphic design firm. The PUD restricted the business to the front half of the property with the back (northerly) portion to remain undeveloped.

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 LDR functional land use category in the Urban Area is intended to provide for low density residential development. Plan amendment requests for new LDR designations are preferred in locations which are supplied with full urban services. The uses provided herein shall be applicable to all LDR sites within the Urban Area.

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; and Commercial retail sales and service establishments when the site is located at the intersection of roads classified as collector or higher on the Functional Highway Classification Map, however logical extensions and expansions of preexisting commercial retail sales and service establishments are exempt from the roadway classification and intersection requirements.

The PUD meets the following secondary criteria for Commercial Neighborhood (CN) uses:

- 1) The site shall be located at the intersection of two streets classified as principal arterial, for arterial, or collector streets as identified on the Functional Highway Classification Map of the Comprehensive Plan. This precludes consideration for an intersection with a limited access facility as one or both of the two intersecting roadways.
- (2) The maximum distance of the use from the specified intersection as represented by intersection of the centerlines of the rights-of-way shall not exceed one block length or 660 feet, whichever is less, and shall be at least 100 feet from any local street.
- (3) The total area zoned for CO, CRO or CN Districts at an intersection shall not exceed 16 acres.

(4) Not more than half (50 percent) of the above acreage shall be located in any one quadrant of the intersection.

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.

(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 categories as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR) and 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 1.1.9 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 1.1.10 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 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 1.3.8 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 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 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:

Traffic and pedestrian circulation patterns: The proposed development shares a single access

drive with the proposed development to the east. This will reduce the potential for vehicular maneuvers at the Atlantic Blvd. and University Blvd. intersection.

The separation and buffering of vehicular use areas and sections of vehicular use areas: The proposed site plan indicates the vehicle use areas will meet the landscape standards in the Zoning Code and adequate buffering will be provided.

The particular land uses proposed and the conditions and limitations thereon: The written description and site plan indicate the development will not encroach 110 feet from the rear (northwest) property line. This will provide additional buffering from the adjacent residential dwellings.

(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 commercial corridor with residential, office, commercial and institutional. Commercial development at this location complements the existing office, commercial and residential uses 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	LDR	RLD-90	Single family dwellings
South	CGC	CCG-1	Automobile sales, office
East	LDR	RLD-90	Single family dwellings
	CGC	PUD (92-1451)	Undeveloped (proposed restaurant w/drive thru)
West	LDR	RLD-90	Single family dwellings
	CGC	CCG-1	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 written description and site plan indicate approximately 19,000 square feet of the northerly portion will not be developed. This will protect the adjacent single family dwellings from any adverse impact.

(6) Intensity of Development

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

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The site is located near the intersection of Atlantic Blvd. and University Blvd. Access to the site is subject to FDOT. FDOT indicates there is sufficient capacity to accommodate the proposed development.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. A recreation area is not required.

(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. There is an existing sidewalk along Atlantic Blvd in front of the property.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on August 17, 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 **2017-476** be **APPROVED with the following exhibits:**

1. The original legal description dated May 30, 2017.
2. The revised written description dated August 9, 2017.
3. The original site plan dated June 16, 2017.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-476** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles ("f.c.") when the building or parking areas are located adjacent to residential areas, and shall not exceed one (1.0) f.c. when abutting other non-residential properties. All lighting lamp sources within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. The maximum light pole height in all parking areas should not exceed twenty feet (20'- 0"). An exterior lighting design plan, including a photometrics plan, pole and fixtures schedules shall be submitted at the time of Verification of Substantial Compliance for review and approval by 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.



Aerial view of property.



View of property.



Convenience store across Atlantic Blvd.



Commerical building across Atlantic Blvd.

