

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

**APPLICATION FOR REZONING ORDINANCE 2017-484 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 **2017-484** to Planned Unit Development.

***Location:*** 901 Main Street North between Orange Street East and State Street East

***Real Estate Number(s):*** 074378-0000

***Current Zoning District:*** Commercial Community General-2 (CCG-2)

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

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

***Proposed Land Use Category:*** High Density Residential (HDR)

***Planning District:*** Urban Core, District 1

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

***Owner:*** Robert Van Winkel  
Jacksonville Hospitality Holdings, LP  
PO Box 2426  
Orange Park, Florida 32067

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

**GENERAL INFORMATION**

Application for Planned Unit Development **2017-484** seeks to rezone approximately 1.52 acres of land from CCG-2 to PUD. The rezoning to PUD is being sought so that the property can be developed with a maximum of 122 multi-family units in a 4 story building above structured parking. Phase 1 will be for 82 units.

### 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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series 2017C-010 (Ordinance 2017-483) that seeks to amend the portion of the site that is within the CGC land use category to High Density Residential (HDR). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land use Map Series 2017C-010 be approved. The PUD Written description includes “hospital” as a permitted use. Hospitals are not a permitted use in the HDR land use category. **Staff requires this use must be removed from the written description in order to ensure consistency with the HDR land use category.**

Private clubs are also listed as a permitted use within the PUD written description. Private clubs are allowed as a secondary use within the HDR land use category and careful consideration should be applied in determining if this type of use is an appropriate use for the site. A private club is considered a commercial use and would be subject to the HDR Urban Priority Area Development Characteristics that require non-residential uses to be limited to the ground floor.

The maximum gross density in the Urban Priority Area shall be 80 units/acre and the minimum gross density shall be 20 units/acre; except as provided herein. For sites abutting Low Density Residential (LDR), the maximum gross density shall be 60 units/acre. For sites within the Coastal High Hazard Area (CHHA), the maximum gross density shall be 60 units/acre unless appropriate mitigation is provided consistent with the City’s CHHA policies. The development is proposing a gross density of 54 units/acre for Phase 1 and 80 units/acre for Phase 2.

With those changes above, 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. A description of the category is noted below.

High Density Residential (HDR) is a mixed use category intended to provide compact high density residential development and transitional uses between lower density residential uses and commercial uses and public and semi-public use areas. High rise multi-family and mixed

use developments should be the predominant development typology in this category. Development within the category should be compact and connected and should support multi-modal transportation. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept and Transit Oriented Development (TOD) are permitted. 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. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

HDR in the Urban Priority Area is intended to provide compact high density mixed use development. High density residential development which includes limited commercial uses which serve the residential component of HDR developments as well as adjacent neighborhoods is preferred to reduce the number of Vehicles Miles Traveled. A combination of compatible mixed uses should be organized vertically within a multistory building. HDR designations shall be in locations which are supplied with full urban services; which are located in close proximity to a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which are located within one-half mile distance from an existing or planned Jacksonville Transit Authority (JTA) Rapid Transit System (RTS) or other mass transit system station. Locations which serve as a transition between commercial and medium density residential land uses are preferred. Sites which are abutting Low Density Residential (LDR) or Rural Residential (RR) are discouraged.

The uses provided herein shall be applicable to all HDR sites within the Urban Priority Area.

**Principal Uses:** Multi-family dwellings; Commercial retail sales and service establishments limited to 25 percent of the building area; Office, Business and professional office; and Uses associated with and developed as an integral component of TND or TOD. Commercial retail sales and service establishments, office, and business and professional office uses shall not be permitted as single uses and may only be permitted in conjunction with residential development.

**Secondary Uses:** Secondary uses shall be permitted pursuant to the Residential land use introduction. In addition the following secondary uses may also be permitted: Nursing homes; Emergency shelter homes; Rooming houses; Residential treatment facilities; and Private clubs.

*(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). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2017C-010 (Ordinance 2017-483) that seeks to amend the portion of land that is within the CGC land use category to HDR. 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 1.1.20** Development uses and densities shall be determined by the Development Areas described in the Operational Provisions for the Central Business District (CBD); Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA) as identified in the 2030 Comprehensive Plan, in order to prevent urban sprawl, protect agricultural lands, conserve natural open space, and to minimize the cost of public facilities and services.

**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 2.2.13** Prioritize brownfield sites for redevelopment based on the extent of contamination and ease of remediation, potential for available funding, and potential for mixed use redevelopment. The City's Brownfield Coordinator should identify these sites and rank them according to the following criteria:

1. Ease of remediation and suitability of the site for residential or recreational uses
2. Location on major road corridors and accessibility to transit
3. Large sites with the greatest potential to be redeveloped as a compact and walkable project which adds needed density, parks and open space to the community

**FLUE Policy 2.3.1** Recognize the Central Business District (CBD) and its periphery as a significant urban area of the City appropriate for residential and mixed use projects at higher densities/intensities than the remainder of the City. Overall guidelines are included in the master plan for the downtown “Celebrating the River: A Plan for Downtown Jacksonville” adopted by City Council in 2000. The City’s Land Development Regulations have been amended to include the Downtown Zoning Overlay and the Downtown Signage Overlay for the CBD which includes regulatory incentives for development/redevelopment in the CBD.

**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.

*(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 use and variety of building setback lines, separations, and buffering: The site plan and written description indicate the building will be built to the property lines.

The use and variety of building sizes and architectural styles: The applicant has not submitted information on the architectural style of the building. If this project was inside the Downtown Overlay, the Downtown Development Review Board (DDRB) would review for architecture and materials. **Staff recommends the owner submit information to the Planning and Development Department for review and approval.**

The use and variety of materials: The applicant has not submitted information on the type of materials. If this project was inside the Downtown Overlay, the Downtown Development

Review Board (DDRB) would review for architecture and materials. **Staff recommends the owner submit information to the Planning and Development Department for review and approval.**

*(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 urban area with offices, commercial, churches, institutional and colleges. Multi-family development at this location complements the existing hospital, various office, college and commercial uses by increasing the housing options for those that are employed 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	ROS	PUD (05-1151)	Vacant building, park
South	CBD	CCG-2	Accessory church structure,
East	CGC	CCG-2	Commercial building, law office
West	PBF	PBF-1	FSCJ campus

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 has included the sign regulations that are commonly used for CCG Zoning Districts. However the owner is changing the land use to High Density Residential (HDR) and PUD for residential development. The sign regulations should match the intended use. **As the proposed development is adjacent to the Downtown Overlay Zone, and is a more urban than suburban environment, it is the staff's recommendation the signs comply with Chapter 656, Part 13, Subpart B Downtown Sign Overlay Zone.**

The property is immediately outside the Downtown Overlay which has specific criteria and regulations for architecture, setbacks, height, parking and landscaping. It is important that the building façade does not present a blank face to pedestrians on the street and there is screening for the parking deck. The design should engage the pedestrian as this is the entrance to Springfield. **Staff is recommending the development comply with the regulations below in the Downtown Overlay.**

656.361.12 - Building facades shall involve the pedestrian on the street by providing differentiated building walls, open and inviting facades, human/pedestrian scale, and

variety of detail and form by addressing variation in wall planes, horizontal and vertical articulation, glazing, materials, finishes, and colors.

656.361.13- There shall be at least one pedestrian entrance door on each building elevation facing a street. The main entrance to a building shall face the street and not a parking lot or motor court drop-off area. If interior-block parking exists, there may be secondary entrances from the parking lot, or mid block pedestrian passages from the parking lot to the street.

656.361.15 - All rooftop mechanical equipment shall be screened from view through the use of architectural enclosures designed as an integral part of the building architecture. To present an attractive roofscape, special consideration shall be given to the design treatment of all roof components, including terraces, and shall take into consideration the architecture of adjacent buildings and their rooftops.

The site was formerly utilized as a manufactured gas plant (MGP) facility from approximately 1875 to 1913, known as *Jacksonville Gas Works* and *Citizens Gas Company*. The plant utilized coal carbonization and/or carbureted waste gas processes during its lifetime to produce gas. Subsequent to the MGP operation closing, the site was used for automobile sales operated by Claude Nolan, Inc. A hotel was constructed on the site by 1966 and was razed in 2011. The remaining parking garage was associated with the former hotel. In approximately 1997, the Florida Department of Environmental Protection (FDEP) and COJ became aware that the site had been the location of the former MGP facility.

The site is a registered storage tank facility (UAST), leaking registered storage tank facility (LUAST), a Superfund Enterprise Management System (SEMS) facility, FDEP Cleanup Sites (DEPCLEANUP), and is part of a State-designated brownfield (BF) area. The operation of a former MGP at the site, and historical soil and groundwater contamination impacts represents a recognized environmental concern (REC) under State law. Additionally, the operation of a former heating oil underground storage tank at the site represents another REC.

#### *(6) Intensity of Development*

The proposed development is consistent with the HDR functional land use category as a multi-family development, which is not to exceed 82 dwelling units. The PUD is appropriate at this location because it will support the existing offices, service establishments, college and hospital in the area.

The existing residential density and intensity of use of surrounding lands: There are no residential dwelling sin the immediate vicinity.

The availability and location of utility services and public facilities and services: JEA indicates water, sewer and electric are available to the site.

<b>SCHOOL</b>	<b>CONCURRENCY SERVICE AREA</b>	<b>STUDENTS GENERATED</b>	<b>SCHOOL CAPACITY (Permanent/Portables)</b>	<b>CURRENT ENROLLMENT 20 Day Count (2016/17)</b>	<b>% OCCUPIED</b>	<b>4 YEAR PROJECTION</b>
Andrew Robinson ES #262	1	14	990	762	77%	80%
Matthew Gilbert MS #146	1	6	787	445	57%	63%
William M Raines HS #165	1	8	1,817	1,222	56%	52%

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: FDOT indicates there is sufficient capacity to accommodate the intended 82 dwelling units. The JTA Skyway is located 800 feet to the west.

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

The owner indicates the site is environmentally constrained due to the previous uses. The site plan shows the project being built to the property lines. The written description indicates an on-site gym will be available for residents. Per Section 656.420, a minimum of 150 square feet of recreation area is required for each dwelling unit or 12,300 square feet. The written description indicates there are two parks within 500 and 1,500 feet, Confederate Park and Henry Klutho Park. Facilities in these parks include bike paths, multi-use field, basketball and tennis courts.

*(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.

*(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 written description indicates there will be 82 on site parking spaces for the 82 units. The site plan shows an additional 13 on-street parking spaces along Orange Street. As mentioned earlier, this property is just outside the Downtown Overlay. In the Overlay, the maximum number of off street parking shall be the minimum number of street parking required in Part 6.

*(11) Sidewalks, trails, and bikeways*



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

### SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on August 17, 2017, the required Notice of Public Hearing sign was posted.



### RECOMMENDATION

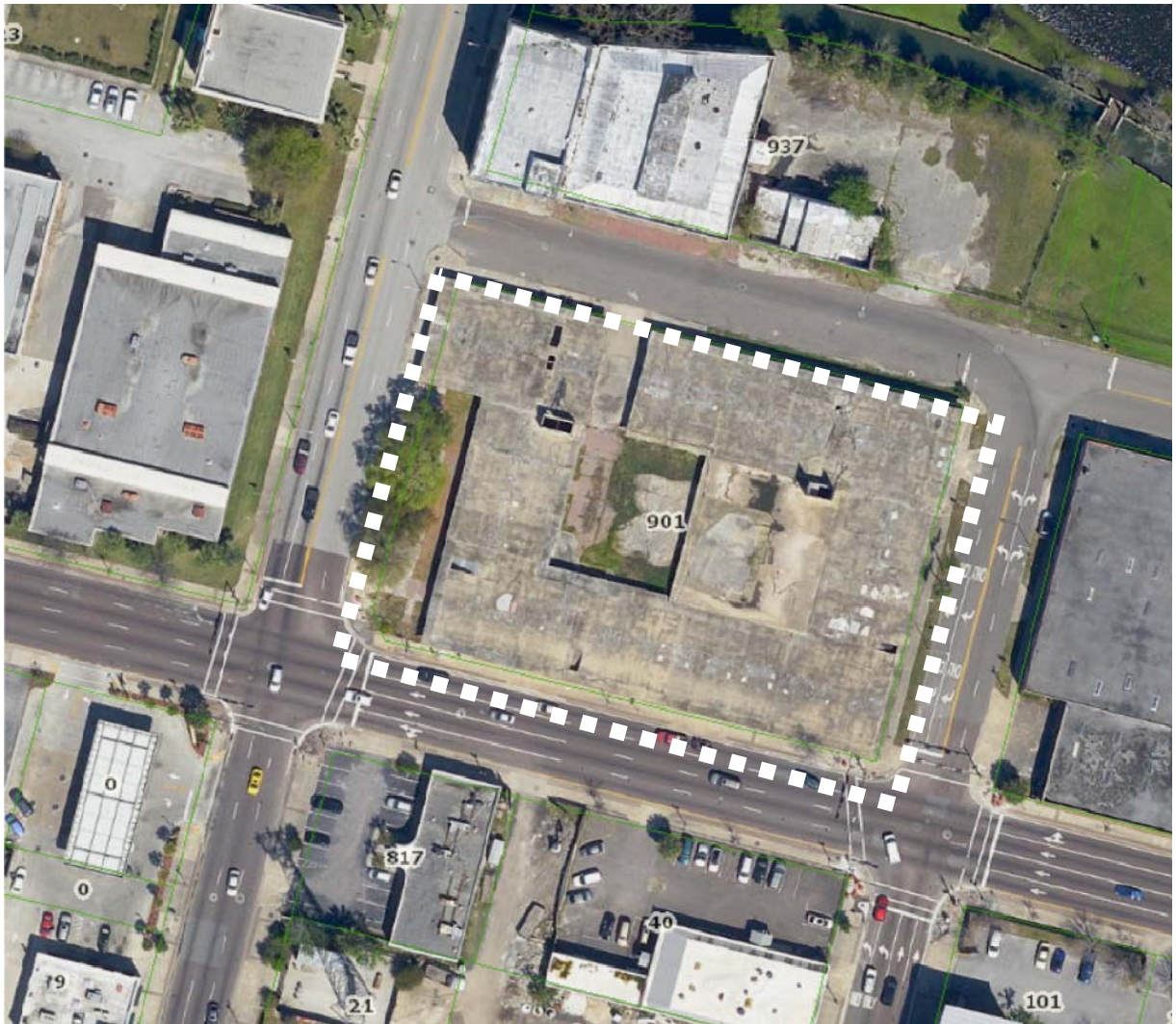
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2017-484** be **APPROVED with the following exhibits:**

1. The original legal description dated May 16, 2017.
2. The revised written description dated August 4, 2017.
3. The original site plan dated May 16, 2017.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-484** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. All signage shall comply with Chapter 656, Part 13, Subpart B Downtown Sign Overlay Zone of the Zoning Code.
2. The building architecture shall comply with Sections 656.361.12, 656.361.13 and 656.361.15 of the Zoning Code.
3. Architectural elevations shall be submitted to the Planning and Development Department for review and approval at the time of verification of substantial compliance.
4. Additional dwelling units over the 82 units in Phase 1 shall require one off street parking space for each dwelling unit.

5. Hospitals shall not be a permitted use.
6. All non-residential uses shall be located on the first floor.
7. Prior to requesting a final building inspection or occupying the facility in any manner, the owner, applicant or developer 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 site



View of existing structure.



View of existing structure.



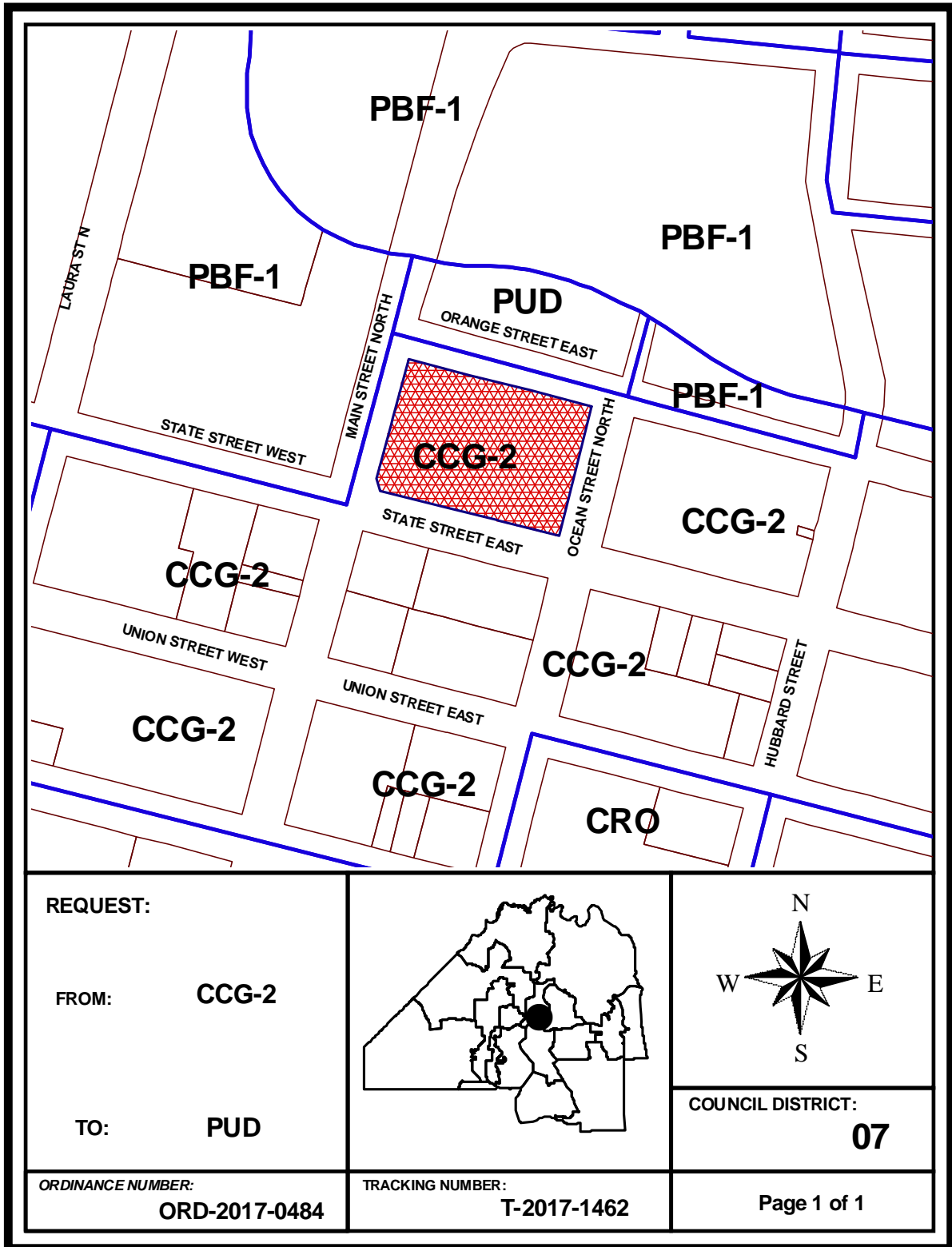
View of adjacent vacant building.



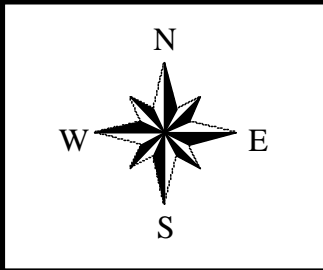
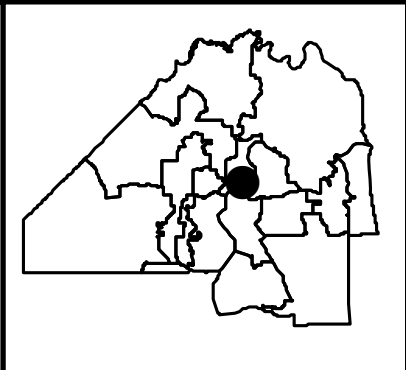
Adjacent commercial building.



Adjacent commercial building.



REQUEST:  
  
 FROM: CCG-2  
  
 TO: PUD



COUNCIL DISTRICT:  
**07**

ORDINANCE NUMBER:  
**ORD-2017-0484**

TRACKING NUMBER:  
**T-2017-1462**

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