

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2018-289 TO
PLANNED UNIT DEVELOPMENT

JUNE 7, 2018

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 **2018-289** to Planned Unit Development.

Location: 2255 Dunn Avenue (SR-104),
between Blossom Ridge Drive & Irma Road

Real Estate Number(s): 044220-0033; 044220-0160; 044220-0140;
044220-0150; 044220-0130; 044220-0120;
044220-0110

Current Zoning District: Planned Unit Development (PUD) 1995-118-70

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: North, District 6

Applicant/Agent: Lara Diettrich
Diettrich Planning, LLC
1332 Avondale Avenue
Jacksonville, Florida 32205

Owner: International General Development, Inc.
Marc Hassan
9803 Old St Augustine Road, Suite 1
Jacksonville, Florida 32257

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2018-289** seeks to rezone approximately 9.92 acres of land from PUD 1995-118-70 to PUD. The rezoning to PUD is being sought so that the property can be developed with an Adult Congregate Living Facility (ACLF). This PUD rezoning is not adding the use, as it is allowed by right. Uses allowed in the current PUD

allow for CCG-1 uses. The allowed square footage was 81,500 square feet in this PUD but Minor Modification 2001-04 reduced the square footage allowance to 79,990. Of the 79,990 square feet only 27,035 square feet remains. This PUD seeks to add 9,709 square feet to the development rights. Making the total allowed square footage in Parcel A of this PUD 89,699 square feet.

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. According to the category description of the Future Land Use Element (FLUE), Community/General Commercial (CGC) in the Suburban Area is intended to provide development in a nodal development pattern. ACLFs are a secondary use in this land use category. The proposed PUD proposes a 36,744 square feet ACLF with approximately 68 beds. The site will have full urban services available to the site. 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. A description of the category is noted below.

The proposed PUD rezoning is not being driven by the need to create an allowed use within the PUD. The PUD allows for GGG-1 uses, including ACLFs. The PUD is being proposed to increase the allowed square footage. Therefore, the current and proposed PUD are consistent with the 2030 Comprehensive Plan.

(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): 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:

Goal 1

To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

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.

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.

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

Policy 1.3.6

The City shall require that access to newly developed and redeveloped parcels, other than parcels zoned for or used for single-family dwellings, with frontage along two or more roadways be limited in order to protect performance of the City's transportation network.

Access shall be limited to one per roadway with access from the higher functional class roadway or roadway with the higher average daily traffic being limited to right turn-in/right turn-out only. However, exemptions from this Policy may be granted by the Traffic Engineering Division and the JPDD where factors justify the exemptions. Factors to be taken into consideration for exemptions may include, but are not limited to: parcel size and road frontage; projected trip generation of a development; safety and congestion hazards; potential for delay on adjacent road facilities; environmental degradation; adequate traffic circulation; and/or elimination of existing access points.

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, 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.

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.

Policy 3.2.16

The City shall where feasible, increase open space in site designs beyond what is currently specified by Zoning Code through site design techniques (e.g., clustering of structures), in order to promote a park-like quality in non-residential developments.

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.

Recreation and Open Space Element

Policy 2.2.1

The City shall require that all new non-residential land uses, except in the Central Business District, provide a minimum of 10% of the property in open space.

Housing Element

Policy 1.4.4

Commercial and other non-residential uses lying adjacent to residential neighborhoods shall not be expanded into residential neighborhoods unless such uses enhance or do not diminish or degrade the residential character of the neighborhood.

Objective 1.10

Sites for Group homes and foster care facilities shall be provided through with the assistance of State agencies, religious groups, non-profit, joint ventures for profit or any other group.

Policy 1.10.2

The City's Planning and Development Department shall ensure group homes, foster care facilities, adult congregate living facilities, halfway houses, and similar special needs housing facilities are treated fairly in their distribution throughout the City.

Transportation Element

Policy 2.3.6

The City shall require that access to newly developed and redeveloped parcels, other than parcels zoned for or used for single-family dwellings, with frontage along two or more roadways be limited in order to protect performance of the City's transportation network. Access shall be limited to one per roadway with access from the higher functional class roadway or roadway with the higher average daily traffic being limited to right turn-in/right turn-out only. However, exemptions from this Policy may be granted by the Traffic Engineering Division and the JPDD where factors justify the exemptions. Factors to be taken into consideration for exemptions may include, but are not limited to: parcel size and road frontage; projected trip generation of a development; safety and congestion hazards; potential for delay on adjacent road facilities; environmental degradation; adequate traffic circulation; and/or elimination of existing access points.

The proposed rezoning has been identified as being related to the following issues identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application should be carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:

The site is located within the 150 foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of less than 150', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Future Land Use Element

Objective 2.5

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

(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. The agent/owner will need to apply for Concurrency & Mobility for review of this proposed project to determine the Mobility fee that will be due to the office prior to permitting.

(3) Allocation of residential land use

Not applicable. This proposed Planned Unit Development intends to utilize lands for an Adult Congregate Living Facility.

(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 site currently has 308 parking spaces with an additional 15 handicap parking spaces, which is more than required by code. The site plan depicts an additional twelve (12) parking spaces that do not currently exist, including five (5) handicap parking spaces. There is also a new loading/unloading circular drive in front of the proposed building.

The treatment of pedestrian ways: The PUD indicates the development will comply with the Comprehensive Plan. There is an existing sidewalk along Dunn Avenue.

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: Because this is a commercial development recreation and open-space is not a requirement however, 4.1% of the subject parcel can be considered open space and there is a Stormwater retention pond on site.

Compatible relationship between land uses in a mixed use project: The proposed use will share parking within the commercial center which includes five (5) existing structures.

(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. The proposed PUD would allow for an Adult Congregate Living Facility to be built on the site that is currently vacant in the commercial center. This use is not common in the North side of The City and would be beneficial to have.

The Land Use and existing Zoning Districts on surrounding lands:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	PUD 1995-118-0075	Single Family Subdivision
South	CGC	CCG-1	Construction Company
East	NC	PUD 1999-751-E	Timber
West	MDR/CGC	RMD-A/CO	Doctor's Office

(6) Intensity of Development

The proposed development and existing development is consistent with the CGC functional land use category. The PUD is appropriate at this location because it will support the surrounding area by providing a needed service to the Northside of The City.

The availability and location of utility services and public facilities and services: The site will be serviced by JEA for utilities.

(7) Usable open spaces plazas, recreation areas.

Not required. Because this is a commercial development recreation and open-space is not a requirement however, 4.1% of the subject parcel can be considered open space and there is a Stormwater retention pond on site.

(8) Impact on wetlands

Not applicable. There are no wetlands on the property.

(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 has already been developed with adequate parking that exceeds the Part 6 requirements in the Zoning Code. A loading/unloading circular drive will be installed in front of the main entrance building for the ACLF.

(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 May 21, 2018, 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 2018-289 be **APPROVED with the following exhibits:**

The original legal description dated 04/05/2018

The original written description dated 02/01/2018

The original site plan dated 01/31/2018

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2018-289 be **APPROVED**.



Aerial



Subject property (ALF proposed site)

Source: COJ, Planning & Development Department
Date: 05/21/2018



Current Development on property

Source: COJ, Planning & Development Department
Date: 05/21/2018



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