

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2018-0337**  
**TO PLANNED UNIT DEVELOPMENT**

**JULY 19, 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 **2018-0337** to Planned Unit Development.

***Location:*** The northwest corner of Gate Parkway and Burnt Mill Road; on the west side of Gate Parkway south of J. Turner Butler Boulevard

***Real estate Number(s):*** 167741-0510

***Current Zoning District(s):*** Commercial Office (CO)  
Residential Medium Density-A (RMD-A)

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

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

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

***Planning District:*** Southeast - 3

***Applicant/Agent:*** T.R. Hainline, Esq.  
Rogers Towers PA  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

***Owner:*** Arthur Skinner III  
2963 DuPont Avenue  
Jacksonville, Florida 32217

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

**GENERAL INFORMATION**

Application for Planned Unit Development **2018-0337** seeks to rezone approximately 15.44 acres of property in the northwest quadrant of the intersection of Gate Parkway and Burnt Mill Road from Commercial Office (“CO”) and Residential Medium Density (“RMD-A”) to

Planned Unit Development (“PUD”). This PUD zoning district is being sought to provide a development which may include a mix of commercial, office, retail and public uses. The PUD allows for a diversity of uses and building types to be developed in a manner that is internally consistent, compatible with external uses, and provides for innovative site planning concepts that will create an aesthetically pleasing environment. Furthermore, the PUD provides for the location of public buildings and facilities on the northern portion of the property.

The owner intends to develop the property with a mix of commercial, retail and office uses in addition to public buildings and facilities that would be developed by the City of Jacksonville. Specifically, the plan is to develop (1) three commercial/retail/office buildings with retail on the ground floor and office space on the second floor (Buildings 1, 2 and 3) and (2) an enclosed personal property storage facility (Building 4), and a site for public buildings and facilities on the northern portion of the property. This mix of uses will provide the surrounding area with important opportunities for commercial/retail services, office space, storage, and public services.

The area surrounding the subject property is mostly developed with a mix of undeveloped land, residential uses, commercial, retail sales and service establishments and office space within the RPI, Community General Commercial (CGC), Low Density Residential (LDR), and Medium Density Residential (MDR) land use categories. The residential area consists of single family homes to the southwest, and multi-family to the west of the site. South of the application site is undeveloped land. A small shopping center, office and multi-family uses will be to the east of the site across Gate Parkway. Additionally, the site is located 0.30 miles west from Interstate 295 and almost half a mile north from the Gate Parkway and Interstate 295 ramp.

### **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) and Residential Professional Institutional (RPI) functional land use categories 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. This rezoning request is companion to a proposed land use amendment to the Future Land Use Map series (FLUMs) L-5291-18C to change a portion of land from the Residential-Professional-Institutional (RPI) to the Community/General Commercial (CGC) category. According to the Category Descriptions for the Urban Development Areas identified within the FLUE, the RPI future land use category primarily permits medium to high density residential, professional office and institutional uses. Limited commercial retail and service establishments, which serve a diverse set of neighborhoods, may also be permitted as part of mixed use developments. RPI

is generally intended to provide transitional uses between commercial and residential uses. The CGC land use designation includes outlets and establishments that offer a wide range of goods and services including general merchandise, apparel, food and related items. General commercial uses include business and professional offices, financial institutions, highway commercial, mobile home/motor home rental and sales, off-street parking lots and garages, and boat storage and sales, among other similar types of commercial developments.

Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services and which abut a roadway classified as an arterial or higher on the Functional Highway Classification Map. Access to the site is via Gate Parkway and Burnt Mill Road, which are classified as minor arterial roadways. Additionally, the site is located approximately 0.30 miles west of Interstate 295 (I-295) and almost half a mile north of Gate Parkway and the I-295 ramp. Sidewalks are located along both sides of Gate Parkway at this location.

The permitted and permissible uses included within the written description of the proposed PUD are consistent with the CGC land use category. 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): Medium Density Residential (MDR) and Residential Professional Institutional (RPI). Companion land use amendment to the Future Land Use Map series (FLUMs) L-5291-18C seeks to change that portion of land from the Residential-Professional-Institutional (RPI) to the Community/General Commercial (CGC) category. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and has been reviewed in relation to the

following goals, objectives, policies or text of the 2030 Comprehensive Plan:

FLUE 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.

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 1.1.10 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 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster development, 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 1.1.22 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 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

FLUE Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

FLUE Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

FLUE Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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.

The PUD proposes the concept of a mixed-use development scaled for and complimentary to the pedestrian and surrounding uses. It includes a mix of land uses integrated vertically and horizontally; internal and external vehicular connectivity; a pedestrian- and bicycle-oriented

environment; and the use of performance standards for the overall project that establishes a unique quality, identity and character.

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

#### Ground Water Aquifer Recharge Area

The southerly portion of the subject site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protections. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

#### Infrastructure Element – Aquifer Recharge Sub-Element

##### Policy 1.2.8

Within two years of establishment by the SJRWMD and the Water Resources Management Plan of prime recharge areas for the Floridian Aquifer, the Planning and Development Department shall prepare maps of such designated areas showing the special zoning and land use consideration the City has established for such areas as designated by the latest update of the Floridian Aquifer Recharge GIS grid coverage.

##### *(2) Consistency with the Concurrency and Mobility 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 Office (CMMSO) prior to development approvals. The proposed development will be located within the 9A JTB Baymeadows Traffic Management Area (TMA) and will require a tip calculation and allocation of the required number of trips available through the appropriate existing contract in conjunction with application for a Concurrency Reservation Certificate (CRC). Gate Parkway at this location is part of the Transportation Management Area (TMA) roadway network described in the Development Agreement establishing the TMA, as it has been amended.

##### *(3) Allocation of residential land use*

This proposed Planned Unit Development intends to utilize lands for a mixed use development that does not contain residential uses. 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 of existing and proposed landscaping: The written description indicates landscaping and tree protection shall be provided in accordance with Part 12 of the Zoning Code. Landscaping standards shall be applied taking into consideration all proposed uses and the entire PUD site. For individual uses, which may own their sites in fee simple, required landscaping may be provided “off-site” within the PUD and may be shared with other uses, so long as the PUD in its entirety provides sufficient landscaping for all proposed uses. Landscape standards shall be applied within the PUD without regard to property ownership boundaries, which may exist among individual uses. Landscaping may be relocated to other areas of the site.

Traffic and pedestrian circulation patterns: The proposed access will be provided via Burnt Mill Road and Gate Parkway, and vehicular internal circulation will be as shown on the site plan. The proposed access points and vehicular internal circulation as shown on the plan are conceptual and may be subject to revision during final design, engineering, and permitting. Design of the access and vehicular internal circulation is subject to review and approval of the Planning and Development Department.

The use and variety of building setback lines, separations, and buffering: The setbacks contained in the written description are similar to those in the adjacent area’s urban, mixed use designed PUD’s, such as the Marketplace at Town Center and St. Johns Town Center PUD’s. The PUD includes limitations on uses to ensure compliance with the CGC land use category and provides for maximum densities/intensities and conversion of those uses. It limits certain uses to certain parcels as shown on the PUD site plan. The PUD sets forth minimum lot widths, maximum lot coverage, minimum yard requirements, maximum heights of structures, and separation between structures for each use which are unique to the urban design and character of this PUD and vary from the otherwise applicable Zoning Code provisions.

The City’s Ordinance Code requires buffers for “uncomplimentary land uses and zones” in Section 656.1216. Due to the integrated nature of this project, all internal uses within the PUD are considered compatible with each other and no buffers between such internal uses are required. A buffer area will be provided in the MDR portion of the property along the western boundary of the property in lieu of an uncomplimentary buffer pursuant to Section 656.1216 between the commercial and other uses within the PUD and the multifamily residential development located to the west. No new development is permitted within this buffer and the existing vegetation will remain.

Compatible relationship between land uses in a mixed use project: The written description contains uses similar to those in the adjacent area. The proposed companion Land Use Amendment to CGC encourages development of an underutilized property within the Urban Area of the City that already has the infrastructure, utilities, and public facilities in place to

support such development. The PUD provides for a gradual transition of densities and intensities between the types of uses with development standards such as yard requirements, maximum heights of structures, and separation between uses for each which are unique to the urban design and character of this PUD and vary from the otherwise applicable Zoning Code provisions. The proposed rezoning and land use amendment is compatible with and protects the character of the nearby area and optimizes the combined potentials for economic benefit. The PUD will promote and sustain the viability of an existing and emerging commercial/residential area offering a full range of employment, shopping, living, and leisure opportunities.

*(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 and commercial uses function as a mixed-use development. Mixed use development at this location complements the existing office, residential and commercial uses for those who reside and are employed and in the immediate area. It includes a mix of land uses integrated vertically and horizontally; internal and external vehicular connectivity; a pedestrian-and bicycle-oriented environment; and the use of specific performance standards within for the overall project that establishes a unique quality, identity and character.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	RPI	PUD (16-283)	Mixed use office/commercial/residential
South	RPI	PUD (15-240)	Undeveloped
East	CGC/RPI	PUD (16-283)	Mixed use commercial/residential
West	MDR	PUD (01-951)	MF residential uses/Lake

*(6) Intensity of Development*

The proposed development is consistent with the CGC functional land use category and is a mixed-use development scaled for and complimentary to the pedestrian and surrounding uses. It includes a mix of land uses integrated vertically and horizontally; internal and external vehicular connectivity; a pedestrian-and bicycle-oriented environment; and the use of performance standards for the overall project that establishes a unique quality, identity and character. The PUD is appropriate at this location because it will support the existing offices, service establishments and residential dwellings in the area.

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

As shown on the site plan, open space is planned and will contain pedestrian walks/bikeways..

*(8) Impact on wetlands*

Surveying of a 2005 Geographical Information Systems shape file did identify wetlands on the site. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

*(9) Listed species regulations*

A wildlife survey is not required as the site is under the 50 acre threshold.

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

The written description states that off street parking will be provided in accordance with Part 6 of the City's Zoning Code, and may be amended with the following additional and superseding provisions:

1. Parking may be provided in garages, driveways, or common parking in accordance with the following standards:
  - a. Retail/Commercial and Restaurants: 4.0 spaces per 1,000 s.f. GLA
  - b. Personal Property Storage: .24 space per 1,000 s.f
  - b. Office: 3.0 spaces per 1,000 s.f. GLA
2. Shared parking can be used to satisfy required parking.
  - a. When two or more uses occupy the same building and when the hours of operation do not overlap, the parking for the use that needs the most parking shall suffice for all uses.
  - b. Shared parking must be provided within 400 feet of the business(es) being served.
3. Valet parking can be used to satisfy parking requirements when provided within 1,000 feet of the business(es) being served.

*(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 June 7, 2018 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 the application for Rezoning 2018-0337 be **APPROVED** with the following exhibits:

1. The original legal description dated April 2, 2018.
2. The original written description dated May 15, 2018.
3. The original site plan dated April 2, 2018.



**Aerial view of the subject site facing north**



**The subject site on the right facing south from Gate Pkwy.**



**The subject site on the right facing south from Gate Pkwy.**



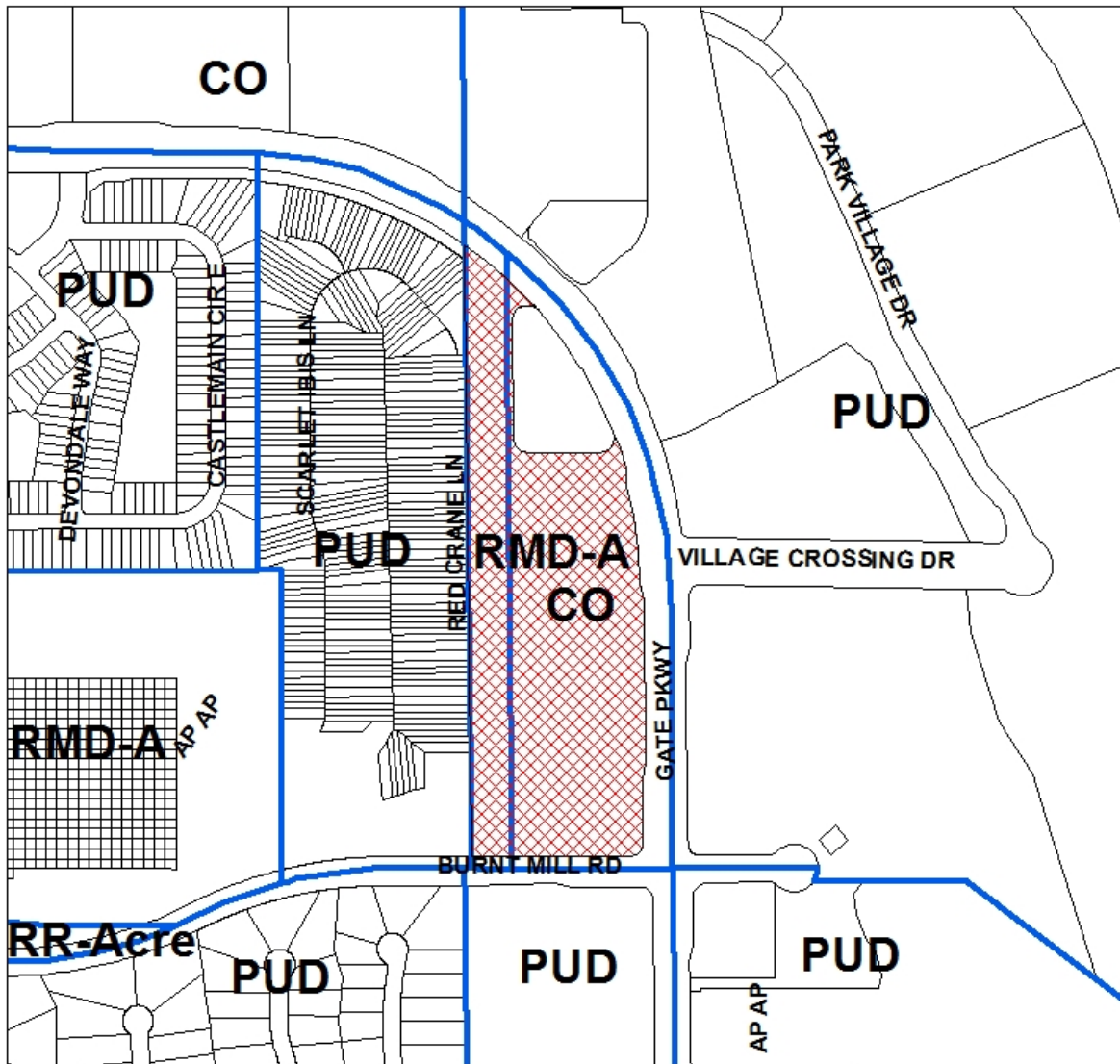
**The subject site on the right facing southwest from Gate Pkwy.**



**The subject site on the left facing northeast from Burnt Mill Rd.**



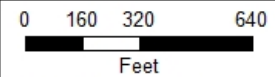
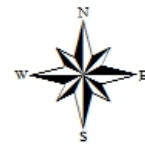
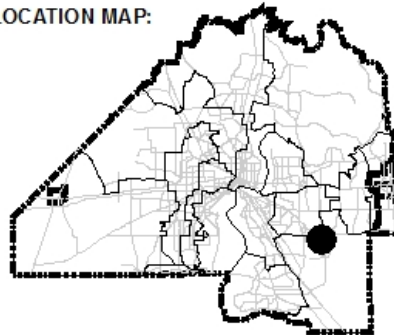
**The subject site on the left facing north from the Gate Pkwy/Burnt Mill Rd. intersection**



REQUEST SOUGHT:

FROM: CO, RMD-A  
TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:  
11

TRACKING NUMRFP

ORD 2018-0337

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