

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2018-419 TO**  
**PLANNED UNIT DEVELOPMENT**

**AUGUST 9, 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 **2018-419** to Planned Unit Development.

***Location:*** North side of Baymeadows Road between Baymeadows Circle East and Baymeadows Circle West

***Real Estate Number(s):*** 148521-0015

***Current Zoning District:*** Planned Unit Development (PUD 2014-139)

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

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

***Planning District:*** Southeast, District 3

***Applicant/Agent:*** Paul Harden, Esq.  
501 Riverside Avenue, Suite 901  
Jacksonville, Florida 32202

***Owner:*** Philip Fremento  
DR Horton, Inc.  
301 Commerce Street, Suite 500  
Fort Worth, Texas 76102

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

**GENERAL INFORMATION**

Application for Planned Unit Development **2018-419** seeks to rezone approximately 5.8 acres of land from PUD to PUD. The rezoning to PUD is being sought so that the property can be developed with a maximum of 95,000 square feet of uses. The current PUD allows commercial retail and service establishments, professional and business offices, restaurants, day cares, churches and multi-family if integrated with a permitted use. The proposed PUD includes two

additional uses; hotels up to 120 rooms and restaurants with drive through windows. Drive through windows shall not be permitted for 'quick service restaurants' as defined in the written description.

### **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. 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.

According to the Category Descriptions for the Urban Development Area identified within the FLUE, the CGC future land use category is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. The CGC land use designation includes principal uses such as commercial retail sales and service establishments; restaurants; hotels and motels; business and professional offices; and commercial recreational and entertainment facilities, among other uses. The subject site fronts Baymeadows Road, which is classified as a minor arterial roadway. The subject site is located within the Baymeadows Community Plan, adopted via Ordinance 2012-0192-E; see below for analysis.

The permitted and permissible uses included within the written description of the proposed PUD are consistent with the CGC land use category.

*(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). 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:

Future Land Use Element:

**Goal 1**~~Error! Bookmark not defined.~~ 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 1.1.12 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 1.1.22 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.

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.

Policy 1.3.7 Access for corner lots or parcels shall be located the greatest distance from the corner commensurate with property dimensions. For roadways having a functional classification of collector or higher, access shall not be less than 150 feet from the geometric centerline of intersecting roadways, 100 feet from the outside through lane, or commensurate with property dimensions, where the lot frontage is insufficient to meet these requirements, subject to the approval of the Traffic Engineering Division and JPDD.

Objective 2.2 Through the use of neighborhood plans and studies, the City shall continue to maintain and implement an urban revitalization strategy for the City's blighted areas, and those areas threatened by blight, which will address maintenance, improvement or replacement of existing structures, permit the transition of run-down or grossly under-utilized commercial properties to alternate uses, and support the re-emergence of diverse urban neighborhoods.

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.

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.

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.

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.

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.

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.

Neighborhood Action Plan / Corridor Study

The subject site is located within the Baymeadows Community Plan (adopted 2012). The site subject to the proposed rezoning is explicitly referenced in the Plan:

*The area between Baymeadows Circle East and West, which is the former 13th hole of the golf course, is currently retained in its natural state and affords prospective developers vacant property for their projects. **The intent of this plan is to retain this site as a “soft buffer” in order to maintain a more natural feel as an entrance feature to the community. Development would only exacerbate the typical layout found along the Baymeadows corridor.***

*This opportunity to “stay green” would far outweigh the benefits from any prospective development, regardless of the type. However, if a development scenario was allowed, strict oversight would have to be set in place. Following in the steps of traditional town centers, a community scaled plan with multiple access points, both visually and physically, would **be phased into place. Lakes, outdoor dining, boardwalks, internally screened parking lots and maximum two-story structures with retail/restaurants on the first floor with potential lofts on the second floor would be preferred over typical strip development.** This could ultimately work for the benefit of the community if guidelines are drawn early to ensure that the development is maintained as a community destination with a “village” feel.*

*Transportation and parking due diligence will have a major influence on the final design, but should not be the determinant of the overall design.*

This Community Plan recommends a phased approach to development, with elements of natural landscaping fronting Baymeadows Road. The Plan also suggests that site access only be from Baymeadows Circle East and West and that those access points should be utilized as gateways to the area. The Plan also provides conceptual renderings of various development scenarios if development should occur at this location; see below.



*"Soft buffer" off of Baymeadows Road*

*(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:

The separation and buffering of vehicular use areas and sections of vehicular use areas: The proposed site plan indicates the property will be developed in a conventional manner. Vehicular uses areas will be screened with landscaping and buffers that meet or exceed Part 12 requirements and parking will comply with Part 6 of the Zoning Code, ensuring compatibility internally as well as with adjacent developments.

Traffic and pedestrian circulation patterns: The PUD proposes a right-in/right-out driveway on Baymeadows Road, as well as one on Baymeadows Circle West and two on Baymeadows Circle East. Baymeadows Road is an FDOT maintained road and any change will require approval by FDOT. The locations of the other proposed access points are subject to the Development Services Division review and approval. The development will provide sidewalks within the site and connection to the existing sidewalk along this portion of Baymeadows Road. This is consistent with the multiple access points called for in the Baymeadows Community Plan.

The particular land uses proposed and the conditions and limitations thereon: The PUD is proposing a select number of uses from the Commercial Community General-1(CCG-1) Zoning District such as professional, business/office, commercial and retail service related uses which are similar to others found in the immediate area.

The use and variety of building groupings: The site plan shows a row of individual buildings facing Baymeadows Road and a hotel to the north behind the building. The site plan uses the hotel as a focal point centered on the central entrance axis. This site plan meets the traditional town center design mentioned in the Baymeadows Community Plan. The proposed parking and driveway layout which will bolster internal compatibility.

The separation and buffering of vehicular use areas and sections of vehicular use areas: The proposed site plan indicates the property will be developed in a conventional manner. The vehicular uses areas will be screened with landscaping which meets Code requirements.

Compatible relationship between land uses in a mixed use project: The written description of the intended plan of development lists limited professional, business/office, commercial and retail service related uses which are similar to others found in the immediate area. This similarity strengthens the viability of the PUD and compatibility with the surrounding properties and uses.

Signage: The applicant proposes two double-faced or two single-faced illuminated monument style identification signs not to exceed 150 square feet in area per sign face and 15 feet in height at the entrances of the development and not closer than 100 feet apart. This is substantially less signage than is allowed in the Zoning Code. In a commercial corridor, the parcel would be allowed two signs with 275 square feet per sign face.

The use of existing and proposed landscaping: The parcel is devoid of any significant landscaping. The written description indicates the proposed development will meet the required landscaping of the Zoning Code.

*(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 largely surrounded by similar commercial development located along a major roadway, Baymeadows Road. This area is characterized predominantly by professional offices, business parks, and commercial/retail service uses. The property is located approximately 0.25 miles east of Interstate 95, and the uses proposed in the PUD are compatible with the character of the surrounding area and is a logical extension of other similar uses found within the established pattern of development along this Baymeadows Road corridor. Commercial development at this location complements the existing various office, professional, commercial and residential uses in the 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	RPI	CRO	Office building
South	CGC	PUD (96-968) CCG-1	Hotel Office building
East	MDR	PUD (15-0024)	Office building
West	CGC	CCG-1	Bank, offices

*(6) Intensity of Development*

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

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: Baymeadows Road is an arterial road with sufficient access to nearby collectors and I-95. The PUD will not encourage through traffic into adjacent residential neighborhoods. The PUD proposes a driveway on Baymeadows Road, as well as one on Baymeadows Circle West and two on Baymeadows Circle East. Baymeadows Road is an FDOT maintained roadway which currently is undergoing improvement from I-95 to Southside Boulevard. The improvements include additional turn lanes and median modification, upgraded traffic signals and drainage and utility improvements.



*(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.

*(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*

Baymeadows Circle East, and Baymeadows Circle West are private roads and therefore not regulated by the Comprehensive Plan. The site plan does not show any sidewalks along these roads. There is an existing sidewalk on Baymeadows Road.

### **SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on July 24, 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 2018-419 be **APPROVED with the following exhibits:**

1. The original legal description dated August 23, 2016.
2. The original written description dated June 11, 2018.
3. The original site plan dated May 10, 2018.



Aerial view of subject property.

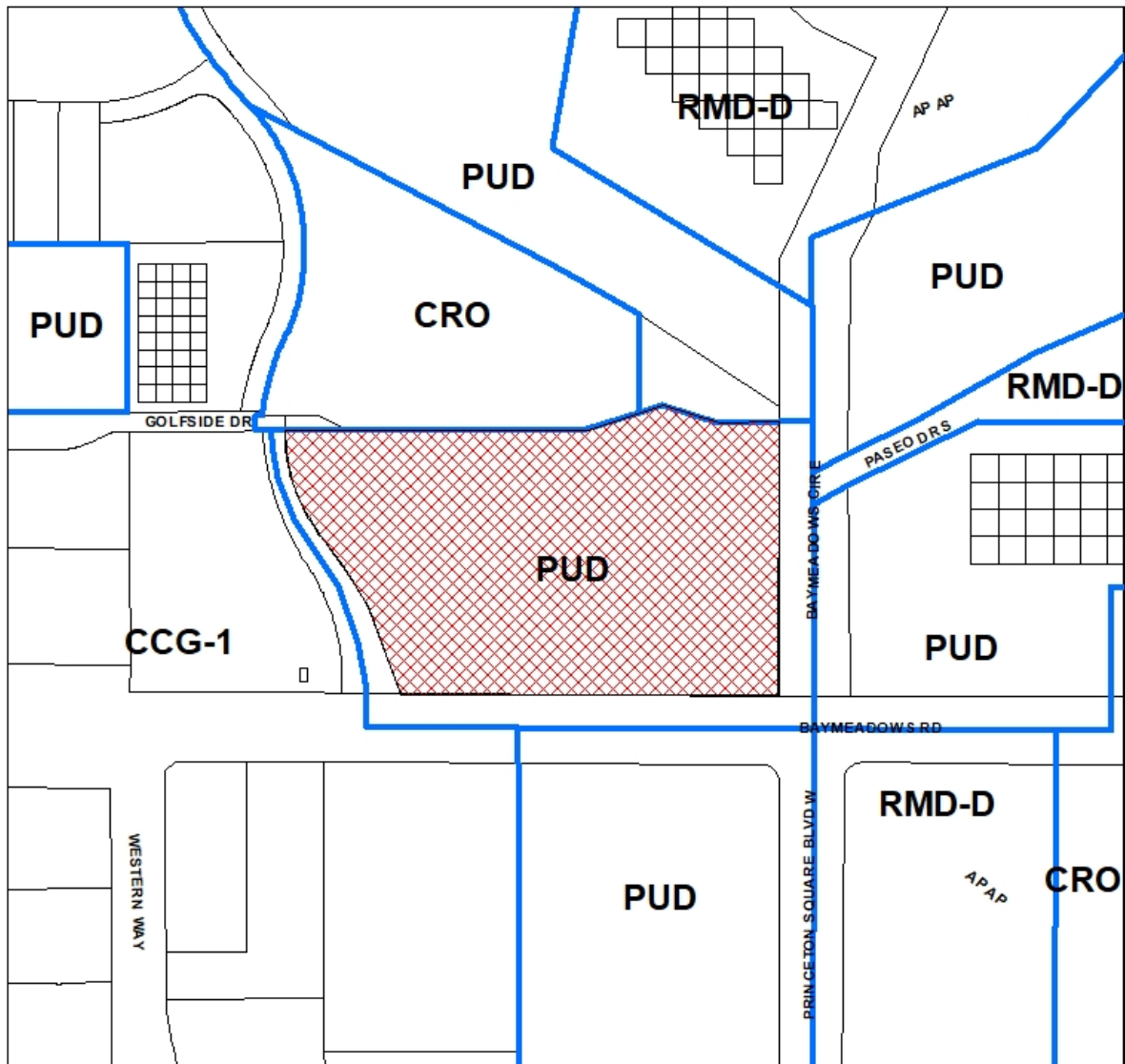


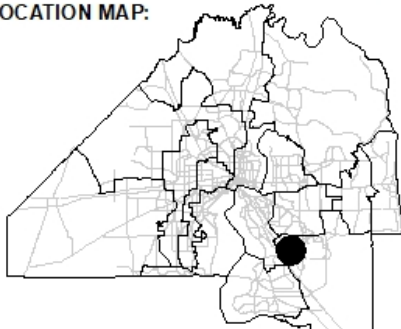

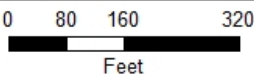


View of subject property



Existing bank adjacent to subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	  <p>COUNCIL DISTRICT:</p> <p>11</p>
<p>ORDINANCE NUMBER:</p> <p>ORD-2018-0419</p>	<p>TRACKING NUMBER</p> <p>T-2016-1228</p>	<p>PAGE 1 OF 1</p>