

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-0042 TO**  
**PLANNED UNIT DEVELOPMENT**

**FEBRUARY 21, 2019**

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 **2019-0042** to Planned Unit Development.

***Location:*** 742 Arlington Road  
Between Mickler Road and Arlington Road

***Real Estate Number:*** Portion of 129399-0010

***Current Zoning Districts:*** Residential Low Density-80 (RLD-80)  
Planned Unit Development (PUD 2001-0953-E)

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

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** 2-Greater Arlington/Beaches

***Applicant/Agent:*** William Michaelis, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, FL 32207

***Owner:*** Diocese of St. Augustine, Inc.  
11625 Old St. Augustine Road  
Jacksonville, FL 32258

***Staff Recommendation:*** **APPROVE WITH CONDITION**

**GENERAL INFORMATION**

Application for Planned Unit Development **2019-0042** seeks to rezone approximately 1.44± acres of a split-zoned parcel from Residential Low Density-80 to PUD. The rezoning to a PUD is primarily being sought in order to renovate the subject property's existing single-family dwelling into additional classroom and activity space for Morning Star School students. Morning Star is a school that serves children in kindergarten through 12<sup>th</sup> grade with learning differences, attention deficit disorders, autism spectrum disorders, and mild intellectual disabilities.

The subject property is adjacent to an additional 31.46 acres of land owned by the applicant, a portion of which is currently in operation by the Morning Star School. This PUD will preserve the current entitlements granted to the northern portion of the property (**PUD Ordinance 2001-0953-E**) by maintaining the maximum number of students at 160 and only adding educational space.

The subject property zoned under PUD, **2001-0953-E**, spans 14.5± acres and allowed the school to expand from 113 students to 160 students coupled with several new building structures. Nonetheless, **2001-0953-E** was enacted on April 9, 2002 with the following conditions:

- (a) All free-standing lighting shall not exceed 16 feet in height. All building attached lighting shall be directed down and not directly visible from the adjacent residential property. Any light or combination of light that casts light on the adjacent residential properties may not exceed 0.4-foot candles (meter reading) as measured one foot inside the lot line of any residential district.
- (b) The height of the new addition shall be limited to 35 feet with a 20-foot rear yard and appropriate uncomplementary landscaped buffer along the southerly perimeter of the subject parcel from Mickler Road to the baseball field.
- (c) The traffic circulation plan for Mickler Road, as referenced in the February 14, 2002 letter from Ghyabi Lassiter & Associates, Inc. to Howard Davis, attached hereto as Exhibit B, shall be incorporated into the approved revised site plan, which shall be subject to the further review and approval of the Planning and Development Department to ensure consistency

**The Planning and Development has reviewed the conditions of the enacted ordinance and forwards the following comments:**

**Condition (a) is being recommended by Staff for this report in order to maintain a uniform lighting plan with the remaining Morning Star property.**

**Condition (b) is not being recommended by Staff for this report as the applicant has not proposed the addition of any new structures but instead will maintain the current footprint of the existing single-family dwelling at 2,732 square feet.**

**Condition (c) is not being recommended by Staff for this report as the Traffic Engineering Division and Transportation Division has submitted new comments for the proposed development, which are newly conditioned later in this report.**

**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.

**STANDARDS, CRITERIA AND FINDINGS**

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

***(A) 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 (MDR) 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 Future Land Use Element (FLUE), Low Density Residential (LDR) in the Urban Area is a category primarily intended to provide for low density residential development. Single-family dwellings are a principal use and schools are considered a secondary use within this category. The original written description dated January 8, 2019, lists vocational, trade, and business schools as a permitted use; however, this use is not consistent with the LDR land use category. The original written description also permits Bed and Breakfast establishments by exception and while this use is consistent with the functional land use category, it is not permitted in areas outside the City's Historic Districts. **Therefore, the applicant has submitted a revised written description dated February 8, 2019, which eliminates both uses.**

Staff finds the proposed rezoning to be consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Zoning Code.

***(B) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?***

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 (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.

The Woodland Acres neighborhood area has been developed with a composite mixture of single-family dwellings and faith-based institutions. Spanning approximately 33 acres in size, the subject property has made several expansions over the decades—all while maintaining compact and compatible connectivity with the adjacent land uses.

**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.

The Woodland Acres neighborhood area has been developed with a composite mixture of single-family dwellings and faith-based institutions. Spanning approximately 33 acres in size, the subject property has made several expansions over the decades—all while maintaining compact and compatible connectivity with the adjacent land uses.

**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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

The subject property is located in the Urban Priority Area and according to the the attached JEA Availability Letter, **2018-3147**, the proposed development must connect to City water and sewer using the property's existing JEA water and sewer accounts.

**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.

The proposed rezoning at the subject site would protect and preserve the character of the local Arlington neighborhood by allowing the proposed nonresidential structure to remain ancillary in use and redirect transportation to the property's main entrance to the north.

**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 proposed rezoning to a PUD would allow for an underutilized residential parcel with existing infrastructure and utilities to be converted into nonresidential space for the adjacent property. The PUD will directly address the needs of City residents by accommodating for students with disabilities.

***(C) Does the proposed rezoning conflict with any portion of the City's land use Regulations?***

If approved with the revised written description dated February 8, 2019 and the original site plan, the intended development will meet 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): Low Density Residential (LDR). Nonetheless, Staff finds the proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, as previously evaluated in Criteria (B).

***(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. However, considering there will be no increase in the number of students, a Mobility / CRC application will not be required for this proposed project.

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

This proposed Planned Unit Development intends to utilize the subject parcel for an educational classroom space. Moreover, 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 existence or absence of, and the location of open spaces, plazas, recreational areas and common areas:** Although recreation and open space is not required for institutional uses, the applicant has stated the intention to preserve the existing trees and open space on the subject property, per the site plan.

**The use of existing and proposed landscaping:** The subject site will be developed in accordance with Part 12 of the Zoning Code and Article 25 of Charter of the City of Jacksonville. The applicant has also requested additional landscaping standards, which would eliminate the internal buffer requirements between the northern portion of the property and the existing single-family dwelling, which the applicant states will be complementary uses once the dwelling unit is converted to classroom space.

**The treatment of pedestrian ways:** Pursuant to the provisions outlined in the 2030 Comprehensive Plan, sidewalks will be provided.

**Traffic and pedestrian circulation patterns:** As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Mickler Road.

***(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:

**Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon:** In an effort to preserve the residential character of the area and achieve a desirable compatibility with the adjacent single-family dwellings to the south and east, the subject property's existing structure will preserve its current footprint and also provide an undisturbed landscape buffer along the perimeter of the property.

**The type, number and location of surrounding external uses:** Although being developed for institutional use, the subject site will preserve the residential character of the area by not expanding the footprint of the existing structure. Nonetheless, 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 Property Use</b>
North	RPI	PUD 2001-0953	Morning Star School
South	LDR	RLD-80	Single-Family Dwellings
East	LDR	RLD-80	Single-Family Dwellings
West	LDR	RLD-80	Single-Family Dwellings

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

The proposed development is consistent with the MDR functional land use category with specific reference to the following:

**The availability and location of utility services and public facilities and services:** The subject site will be serviced by JEA for city water and sewer. Additionally, in a memo provided by JEA dated February 7, 2019, the proposed project design shall meet the JEA Design Standards in effect at the time of construction plan submittal in order to accommodate an additional 460 gpd.

**The amount and size of open spaces, plazas, common areas and recreation areas:** Although recreation and open space is not required for institutional uses, the applicant has stated the intention to preserve the existing trees and open space on the subject property, per the site plan.

**The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:** The subject property will have direct access to the proposed development via Mickler Road. Moreover, the Traffic Engineer also reviewed the application and has issued comments. **Staff supports the Engineer's findings and forwards to you the following:**

- The driveway within the city right of way shall be a city standard driveway for the property use.

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

The project will be developed with the required amount of open space as applicable in accordance with the Recreation and Open Space Element of the 2030 Comprehensive Plan.

***(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, the written description states "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 subject site will be developed in accordance with Part 6 of the Zoning Code as long as parking may be provided by the existing parking on the adjacent property to the north, which is also used by the Morning Star School.

***(11) Sidewalks, trails, and bikeways***

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

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on **February 7, 2019** by the Planning and Development Department, the 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 Ordinance **2019-0042** be **APPROVED with the following exhibits:**

- The original legal description dated October 15, 2018**
- The revised written description dated February 8, 2019**
- The original site plan dated December 18, 2018**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-0042** be **APPROVED WITH CONDITION.**

- 1. All free-standing lighting shall not exceed 16 feet in height. All building attached lighting shall be directed down and not directly visible from the adjacent residential property. Any light or combination of light that casts light on the adjacent residential properties may not exceed 0.4-foot candles (meter reading) as measured one foot inside the lot line of any residential district.**



Figure A:



Source: Planning & Development Dept, 1/7/19

Aerial view of the subject site and parcel, facing north.

Figure B:



Source: Planning & Development Dept, 2/7/19

View of Mickler Road and the subject site, facing east.

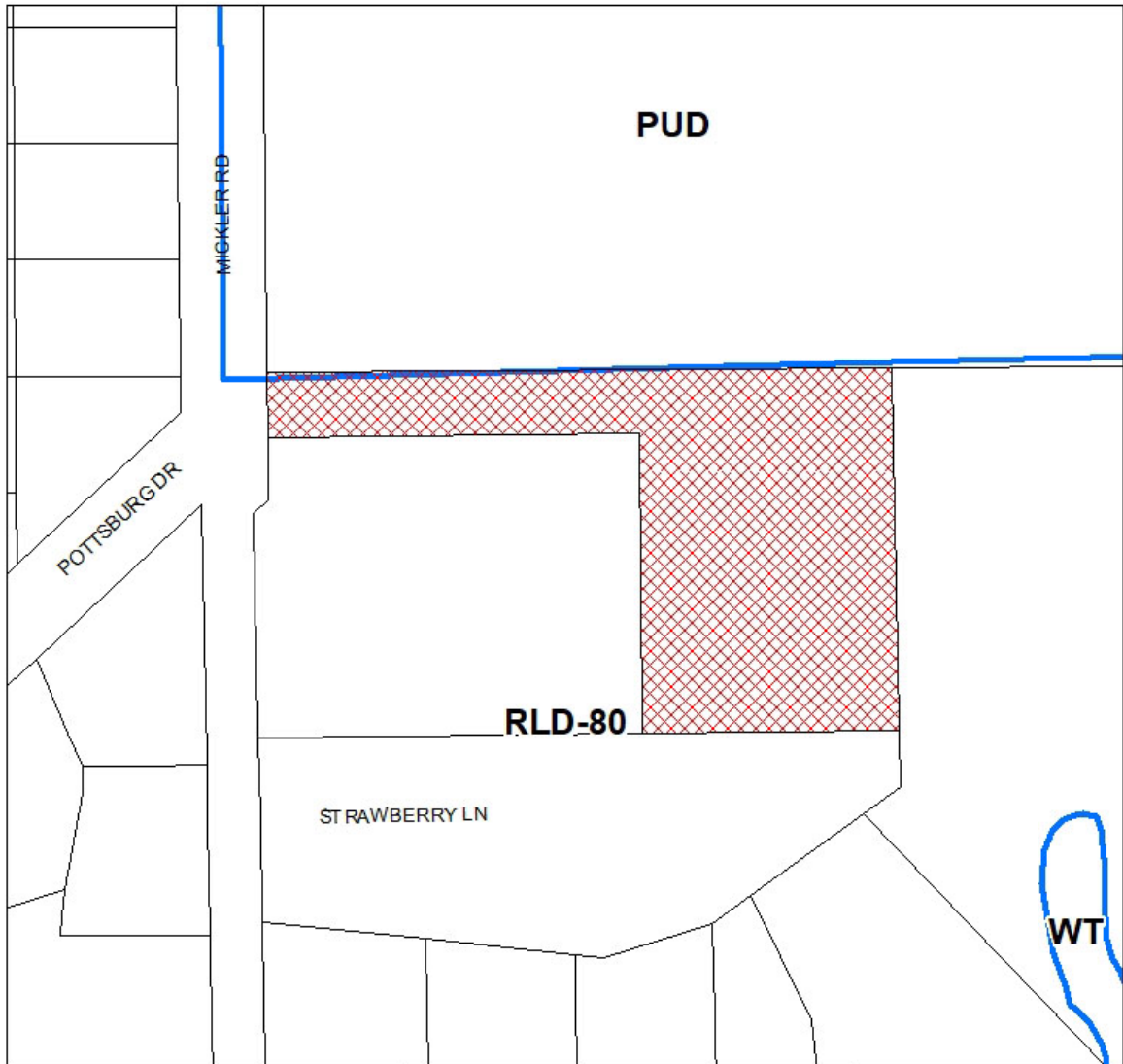


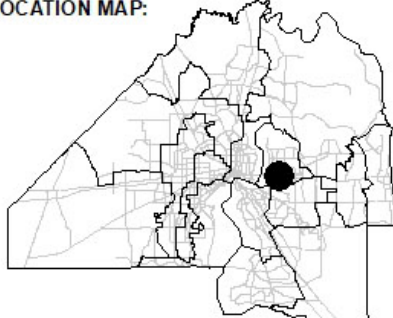

**Figure C:**



**Source: Planning & Development Dept, 2/7/19**

**View of the current Morning Star School facility to the north, facing east.**



<p><b>REQUEST SOUGHT:</b></p> <p><b>FROM: RLD-80</b></p> <p><b>TO: PUD</b></p>	<p><b>LOCATION MAP:</b></p> 	 <p>0 40 80 160 Feet</p>
<p><b>ORDINANCE NUMBER</b> ORD-2019-0042</p>	<p><b>TRACKING NUMBER</b> T-2018-2148</p>	<p><b>COUNCIL DISTRICT:</b> 1</p> <p><b>EXHIBIT 2</b></p>