

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-188 TO**  
**PLANNED UNIT DEVELOPMENT**

**APRIL 18, 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 2019-188 to Planned Unit Development.

***Location:*** North side of WM Davis Parkway between  
San Pablo Road South and Worrall Way

***Real Estate Number(s):*** 167452-6000, 167736-0000 and 167736-0100

***Current Zoning District(s):*** Residential Rural-Acre (RR-Acre)  
Residential Medium Density-A (RMD-A)  
Public Buildings and Facilities-1 (PBF-1)

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

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

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

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

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

***Owner:*** Jed Davis  
Estuary, LLC  
4310 Pablo Oaks Court  
Jacksonville, Florida 32224

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

## **GENERAL INFORMATION**

Application for Planned Unit Development 2019-188 seeks to rezone approximately 7.21 acres of land from RR-Acre, RMD-A and PBF-1 to PUD. The rezoning to PUD is being sought to uses typically found in the CCG-1 Zoning District, including automobile sales, light manufacturing, service garages, small engine repair, pharmacies including medical marijuana dispensary and private vehicle garage condominiums.

## **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.

***(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 LDR, MDR and 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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5346-19C (Ordinance 2019-187) that seeks to amend the portion of the site that is within the LDR, MDR and RPI land use categories to CGC. Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series L-5346-19C be approved. 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.

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

Yes/No. 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 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.

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 Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

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.

The proposed development is inconsistent with the following Policy. This is not infill of a commercial area, the PUD is proposing the commercialization of a new area. There are no similar intensive commercial uses along WM Davis Parkway or in the area.

FLUE 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.

***(C) 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): LDR, MDR and RPI. There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series L-5346-19C (Ordinance 2019-187) that seeks to amend the portion of land that is within the LDR, MDR and RPI land use categories to CGC. The Planning and Development Department finds that the proposed PUD is in/consistent with the 2030 Comprehensive Plan, as 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.

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

This proposed Planned Unit Development intends to utilize lands for commercial 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. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The streetscape: The streetscape along WM Davis Parkway is approximately 100 feet in length. Other development in the area consist of one and to story office buildings which have a residential character with hip roofs, gables and columns. The architecture of proposed uses such as automobile sales, light manufacturing service garages is not expected to be compatible with the existing uses in the area.
- The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas:
- The use of existing and proposed landscaping: The written description indicates the development will comply with Part 12 Landscaping of the Zoning Code.
- The treatment of pedestrian ways: Although not shown on the site plan, a pedestrian walk will be required from WM Davis Parkway to the farthest building.
- Focal points and vistas: The site plan is not accounting for any focal points or visas.
- The use of topography, physical environment and other natural features: Not applicable. According to the site plan, the property will be cleared of all trees. A majority of the site will contain impervious surfaces.
- The use and variety of building setback lines, separations, and buffering: The PUD is proposing setbacks which are consistent with the setbacks in CCG-1 and a 15 foot wide buffer where adjacent to residential uses.
- The use and variety of building groupings: The site plan depicts a simple layout typical for personal property storage, where buildings are on either side of a central access drive.

- The use and variety of building sizes and architectural styles: Not applicable.
- The use and variety of materials: Not applicable.
- The separation and buffering of vehicular use areas and sections of vehicular use areas: The site plan shows the typical parking layout for commercial buildings.
- The variety and design of dwelling types: Not applicable.
- The particular land uses proposed and the conditions and limitations thereon: Not applicable.
- The form of ownership proposed for various uses: Not applicable
- Compatible relationship between land uses in a mixed use project: The intended plan of development lists uses that are commonly found in the CCG-1 Zoning District. It is not expected the uses will create any adverse impacts within the PUD.

#### ***(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 **not achieved**.

- Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon: This section of WM Davis Parkway contains one and two story office buildings and a JFRD Fire Station. The south side of the street is the Mayo Clinic campus. At the western end of WM Davis Parkway is Cypress Village, a retirement community. There are no commercial uses along WM Davis Parkway. The PUD is proposing commercial uses which are not appropriate for the area. Retail sales of automobiles, service garages, general trades contractors and car washes are not an appropriate transition from the retirement village, fire station, Mayo Clinic and low intensive office uses.
- 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</b>
<b>North</b>	LDR	RR-Acre	Undeveloped
<b>South</b>	PBF	PUD	Mayo Clinic campus
<b>East</b>	RPI	CO	Offices
<b>West</b>	LDR MDR	RR-Acre PBF-1	Undeveloped COJ Fire Station

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

The proposed development is consistent with the CGC functional land use category, however the PUD contains several uses which are not appropriate for the area. The staff recommends limiting the permitted uses and if approved as conditioned, the PUD is appropriate for the area.

- The location of various proposed uses within the proposed PUD and the degree of compatibility of such uses with each other and with surrounding uses: Commercial retail sales and service establishments, buildings trades contractors, light manufacturing, mobile car detailing services and automated car wash facilities, the sale and service of all alcoholic beverages, service garages for minor or major repairs, auto laundry or manual car wash, retail sales of new or used automobiles, service and repair of general appliances and small engines are not compatible with the existing uses along WM Davis Parkway.
- The existing residential density and intensity of use of surrounding lands: The nearest single family residential uses are 3,800 feet to the west and 2,900 feet to the east.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: WM Davis Parkway dead ends into the Cypress Village Retirement Community. Several of the intensive commercial uses are not an appropriate graduation to protect the users on WM Davis Parkway.

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

The project will be developed with the required amount of open space. No recreation area is 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. However, 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 written description indicates the site will be developed in accordance with Part 6 of the Zoning Code.

***(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 April 5, 2019, 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 **2019-188** be **APPROVED** with the following exhibits:

1. The original legal description dated February 18, 2019.
2. The original written description dated March 12, 2019.
3. The original site plan dated March 5, 2019.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-188** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

1. The permitted uses for Parcel 1 shall include; private automobile/vehicle garage condominiums, banks, including drive-thru tellers, savings and loan institutions, and similar uses, professional and business offices, art galleries, museums, dance, art or music studios, day care centers or care centers meeting the performance standards and development criteria set forth in Part 4, personal property storage establishments meeting the performance development criteria set forth in Part 4, ambulance depot and essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
2. The permitted uses for Parcel 2 shall include; Private automobile/vehicle garage condominiums, ambulance depot, manual car wash, mobile car detailing services and automated car wash facility meeting the performance standards and development criteria set forth in Part 4, personal property storage establishments meeting the performance

development criteria set forth in Part 4, essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.

3. Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either: (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.





Aerial view of subject property.



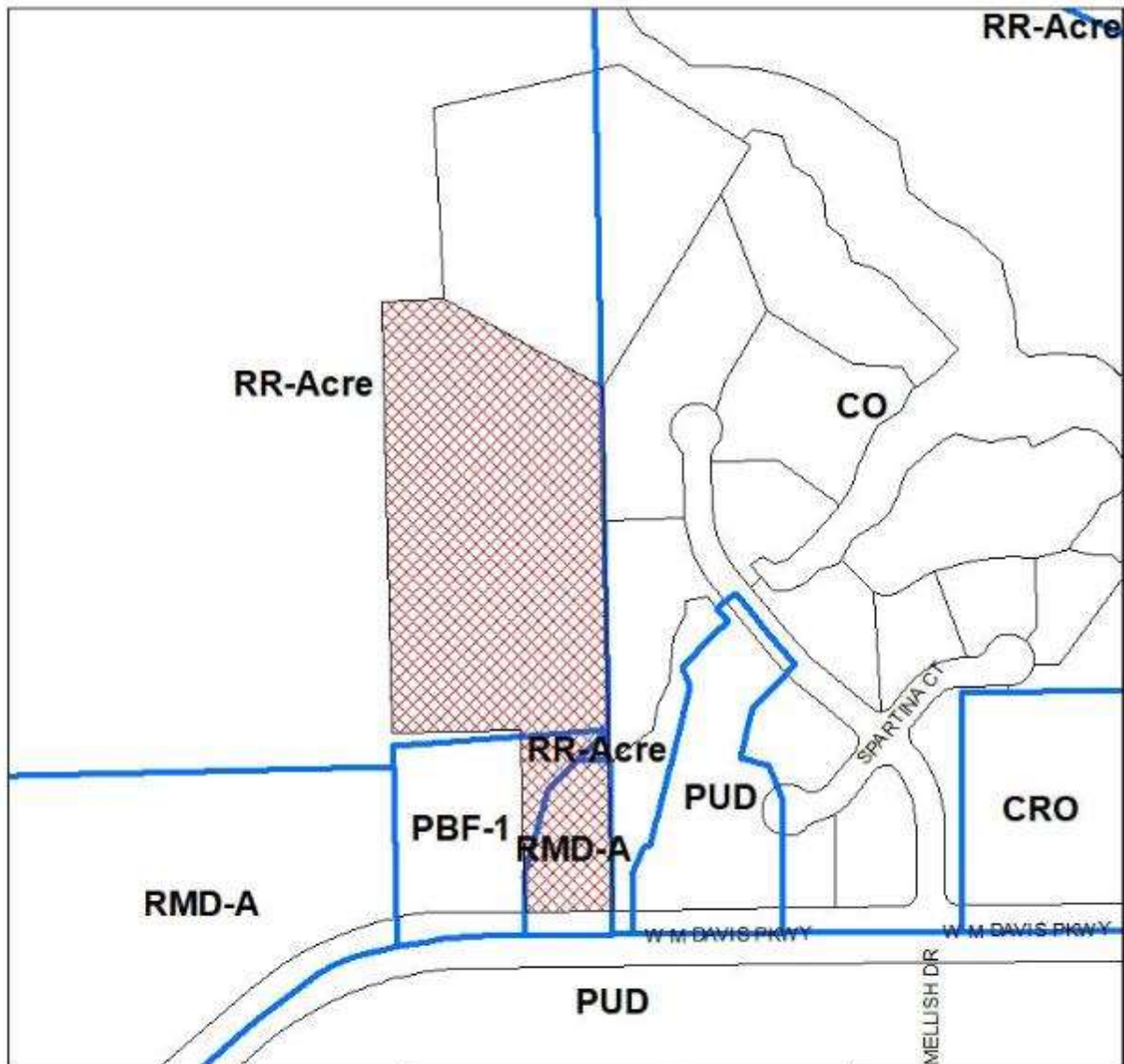
COJ fire station adjacent to proposed development.



Day care adjacent to proposed development.



Mayo Clinic campus across from proposed development.



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-A, PBF-1, &amp; RR-ACRE</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>	<p>0 95 190 380 Feet</p> <p>COUNCIL DISTRICT: 3</p>
<p>ORDINANCE NUMBER ORD-2019-0188</p>	<p>TRACKING NUMBER T-2019-2260</p>	<p><b>EXHIBIT 2</b> <b>PAGE 1 OF 1</b></p>