

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-371 TO
PLANNED UNIT DEVELOPMENT

JUNE 20, 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 2019-371 to Planned Unit Development.

Location: Southeast quadrant of Normandy Boulevard
(SR 228) and Chaffee Road South

Real Estate Number(s): 012843-0000, 012843-0010, 012848-0000,
012848-0010, 012848-0020, 012852-0000,
012853-0010

Current Zoning District(s): Commercial Office (CO)
Commercial Community General-2 (CCG-2)
Planned Unit Development (PUD 2005-694)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Southwest, District 4

Applicant/Agent: Michael Herzberg
12483 Aladdin Road
Jacksonville, Florida 32223

Owner: Property Management Support
1 Sleiman Parkway
Jacksonville, Florida 32216

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development 2019-371 seeks to rezone approximately 21.10 acres of land from CO, CCG-2 and PUD to PUD. The rezoning to PUD is being sought to allow for a maximum of 67 single family lots and 21,000 square feet of commercial uses, including filling

stations, banks, restaurants serving all alcoholic beverages, business offices, day cares and other similar uses.

The current PUD, 2005-694-E, was for 77.81 acres and allows for 380,000 square feet of commercial and multi-family uses. If the proposed PUD is approved, the current PUD will be 56.71 acres.

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 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 FLUE, CGC in the Suburban Development Area is intended to provide for all types of commercial retail sales and service establishments and development which includes offices and multi-family uses. 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 arterial or higher on the Functional Highway Classification Map. Residential uses are permitted in CGC as mixed use as long as it does not exceed 80 percent of the development and the residential areas are arranged to provide a transition to other residential areas. 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.

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

Yes. 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:

<p>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.</p>

The PUD is proposing a mix of commercial and residential uses. The written description limits the number of commercial uses that are appropriate for the neighborhood and to reduce any potential adverse impacts. The mix of uses and limitations on the commercial uses could not be accomplished through a conventional rezoning.

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 limited number of commercial uses, integrated with residential and multiple access points, provides an organized combination of residential and commercial uses with an efficient transportation network.

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 intended plan of development will utilize an undeveloped parcel to provide commercial uses to the immediate neighborhood.

(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): Community General Commercial (CGC). The Planning and Development Department finds that the proposed PUD is 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 a mixed use project with 67 single family lots and 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: It is expected the streetscape of the residential area will be similar to residential subdivisions in the immediate area. Based on the site plan the commercial area will also be similar to other commercial developments along Normandy Boulevard.
- The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The site plan shows the retention pond between the commercial area and residential lots. The pond will act as a buffer from the typical noises, smells, etc. that are common for commercial uses.
- The use of existing and proposed landscaping: The PUD will comply with Part 12 Landscape Regulations of the Zoning Code, with the exception of an uncomplementary buffer for the commercial area.
- The treatment of pedestrian ways: Sidewalks will be provided per the Comprehensive Plan.
- Focal points and vistas: There are no focal points or vistas.
- The use of topography, physical environment and other natural features: There are no natural features that need to be preserved.
- Traffic and pedestrian circulation patterns: The PUD is proposing two access points
- The use and variety of building sizes and architectural styles: The PUD does not address architectural styles.
- The use and variety of materials: The PUD does not address the variety of materials.
- The separation and buffering of vehicular use areas and sections of vehicular use areas:

- The variety and design of dwelling types: The PUD is proposing single family dwellings on 50 foot wide and 5,000 square foot in area lots. The parcel is not large enough to support more variety.
- Compatible relationship between land uses in a mixed use project: The written description has limited the number and intensity of commercial uses to reduce any potential impact to the adjacent residential area.
- Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: Section III.D.2 of the PUD indicates that a screen will be erected along the commercial property line, but the width and landscaping will not be installed as required in the Zoning Code. There is no specificity to the material or height of the screen. **Therefore staff is recommending the screen be a minimum of six (6) foot high 85% opaque vinyl fence.**

There is an existing 180 foot unipole cell tower on the southern property line of the site. This tower was constructed prior to the enactment of the Wireless Communication Regulations in 2001 and the landscaping that is required for new towers was never installed. The site plan shows single family lots adjacent to the tower. **Staff is recommending that the required landscaping be installed around the tower base to reduce the visual impact of the equipment.**

(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: the PUD is proposing single family residential dwellings adjacent to the existing Lauren Oaks subdivision. The commercial uses front on Normandy Boulevard (SR 228).
- 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		CO CCG-2	Undeveloped Bar
South		PUD (01-1223)	Single family dwellings (7,000 sq. ft. lots)
East		PUD (05-694)	Auto salvage yard
West		CCG-2	Undeveloped

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category as a mixed use development. The PUD is appropriate as the site is at the intersection of Chaffee Road South (minor arterial) and Normandy Boulevard (SR 228) (principal arterial) and will serve the needs of the immediate 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:
- The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD:
- The existing residential density and intensity of use of surrounding lands:
- The existence and treatment of any environmental hazards to the proposed PUD property or surrounding lands: Resolution 2006-316-A designated this area as a Brownfield Site. The resolution states it shall stand repealed without further action of the City Council one year from the effective date hereof unless a Brownfield Site Rehabilitation Agreement (BSRA) pertaining to the property has been executed by the owner and the Florida Department of Environmental Protection. There was no BSRA executed and so the site is no longer a City Designated Brownfield. There may or may not be contamination present.
- The availability and location of utility services and public facilities and services:

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECTION
Dinsmore ES #45	1	76	683	513	75%	83%
Highlands MS #244	1	33	1,071	816	76%	86%
Ribault HS #96	1	43	1,683	1,466	87%	87%

- The amount and size of open spaces, plazas, common areas and recreation areas: The PUD includes a 1.42 acre recreation area at the entrance to the residential subdivision. The commercial area will have required open space.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: **The City’s Traffic Engineer is recommending the following conditions.**
 1. There shall be only one full access to Chaffee Rd at the residential area and one right in/right out access in the commercial area. Exhibit 4 shows left turn lanes into nonexistent accesses. There shall be a left turn lane at the access into the residential area.
 2. Provide a traffic study to determine the deceleration length and queue length on Chaffee Rd for both the signal and left turn lane into the residential area. The traffic study will also determine any changes needed to the existing signal.

3. A concrete traffic separator on Chaffee Rd is required to prevent left in and left out vehicles at the commercial access. The “Pork Chop” islands are ineffective at preventing these left turn movements.

FDOT has indicated that intersection improvements including turn lanes are programmed for the Chaffee Road and Normandy Boulevard (SR 228). Completion is estimated to be Fall 2019.

(7) Usable open spaces plazas, recreation areas.

The project will include a 1.42 acre recreation area at the entrance to the residential subdivision. The 61,855 square foot recreation area exceeds the 29,145 square feet that is required by Section 656.420 (b) of the Zoning Code. The commercial area will be developed with the required amount of open space.

(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. 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 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 June 7, 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 **2019-371** be **APPROVED** with the following exhibits:

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

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-371** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

1. There shall be only one full access to Chaffee Rd at the residential area and one right in/right out access in the commercial area. Exhibit 4 shows left turn lanes into nonexistent accesses. There shall be a left turn lane at the access into the residential area.
2. A traffic study shall be provided to determine the deceleration length and queue length on Chaffee Rd for both the signal and left turn lane into the residential area. The traffic study will also determine any changes needed to the existing signal. The traffic study shall be submitted at the time of verification of substantial compliance.

3. A concrete traffic separator on Chaffee Rd is required to prevent left in and left out vehicles at the commercial access. The “Pork Chop” islands are ineffective at preventing these left turn movements and prohibited.
4. A six (6) foot high, 85% opaque vinyl fence shall be installed and maintained along the southern property line of the commercial area.
5. A ten (10) foot wide landscape buffer shall be installed and maintained on three sides of the existing cell tower. The landscape buffer shall contain a row of evergreen shade trees a minimum of 15 feet tall (at the time of planting) with a four-inch caliper, spaced a maximum of 15 feet apart; and a row of evergreen shrubs such as viburnum, ligustrum, holly or juniper, a minimum of four-feet tall (at the time of planting) and potted in seven-gallon containers, planted four feet on center, in order to maintain 80 percent opacity within one year of planting.
6. The landscaping buffer shall be properly maintained through an irrigation system.
7. 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.



View of subject property.



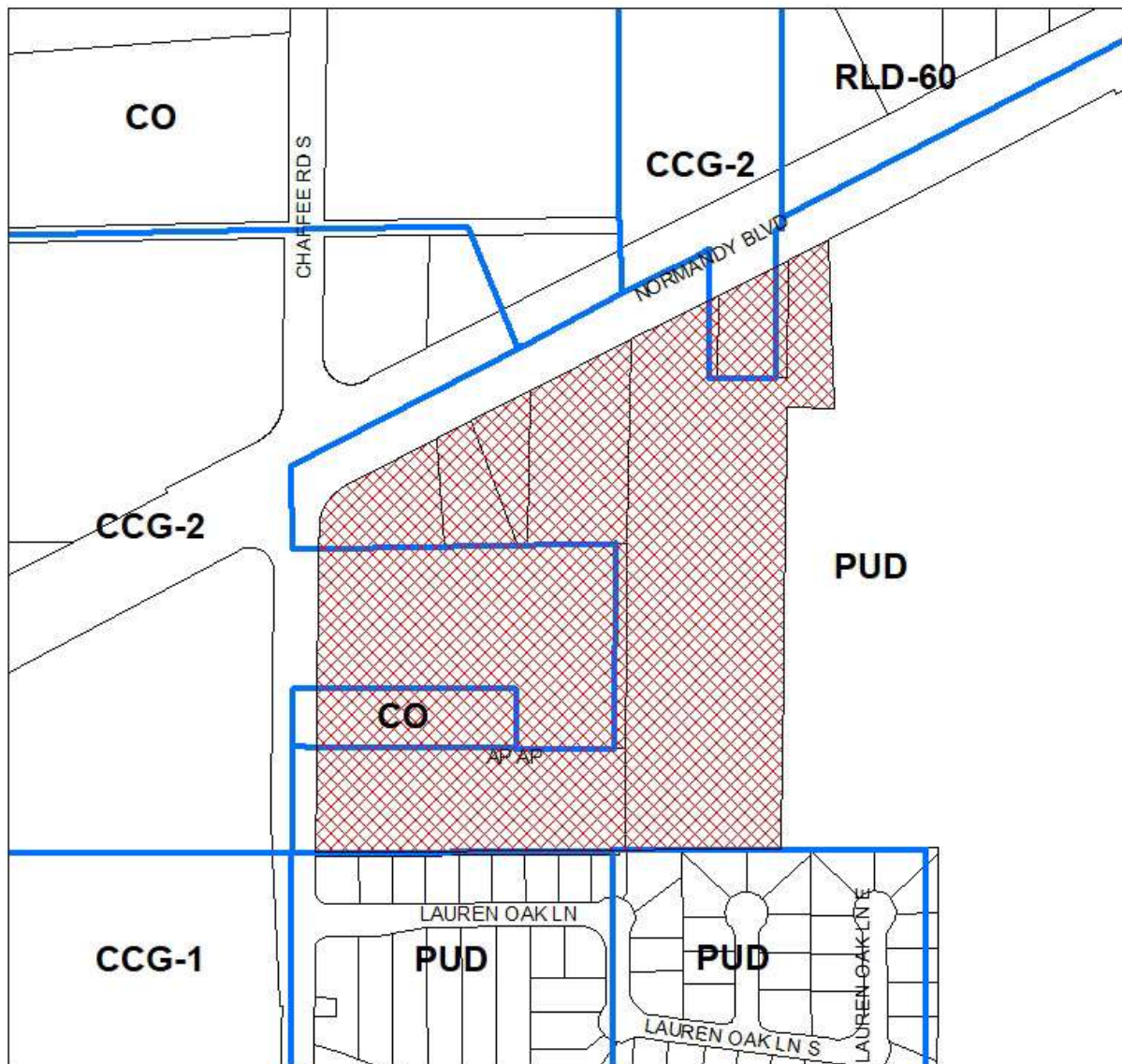
Existing cell tower on subject property.



View of subject property on Normandy Boulevard.



View of adjacent auto salvage yard on Normandy Boulevard

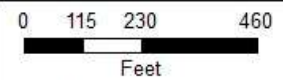
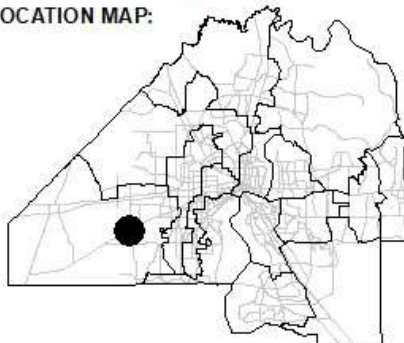


REQUEST SOUGHT:

FROM: CO, CCG-2, & PUD

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

12

ORDINANCE NUMBER

ORD-2019-0371

TRACKING NUMBER

T-2019-2231

EXHIBIT 2
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