

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2013-640 TO**

**PLANNED UNIT DEVELOPMENT**

**OCTOBER 10, 2013**

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 **2013-640** to Planned Unit Development.

***Location:*** 7408 Silver Lake Terrace between Arlington Road  
South and Aralia Lane

***Real Estate Number(s):*** 145170-0050, 145174-0000

***Current Zoning District:*** Residential Medium Density-A (RMD-A)  
Commercial Community General-2 (CCG-2)

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

***Current Land Use Category:*** Medium Density Residential (MDR)  
Community General Commercial (CGC)

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

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

***City Council District:*** The Honorable Don Redman, District 4

***Applicant/Agent:*** L. Charles Mann  
165 Arlington Road  
Jacksonville, Florida 32211

***Owner:*** Wayne Warren  
GWW Properties, LLC and Warren Asphalt, Inc.  
7411 Silver Lake Terrace  
Jacksonville, Florida 32216

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

### **GENERAL INFORMATION**

Application for Planned Unit Development **2013-640** seeks to rezone approximately 3.51 acres of land from RMD-A and CCG-2 to PUD. The rezoning to PUD is being sought so that the property can be developed with building trades contractor, major automotive repair, retail sales of automobiles and trucks and other commercial retail sales and service uses.

### **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) 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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series 2013C-020 (Ordinance 2013-639) that seeks to amend the portion of the site that is within the MDR land use category to Community General Commercial (CGC). Staff is recommending that Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2013C-020 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.

**Community General Commercial (CGC)** is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled.

#### **CGC - GENERAL NEIGHBORHOOD PROTECTION**

Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor. When developing mixed uses, residential uses shall be arranged on the site to provide a use transition between new non-residential uses and the protected abutting residential land uses to the greatest

extent feasible.

CGC in the Urban Area 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. 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.

**Principal Uses:** Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; Offices, Business and Professional Offices including veterinary offices; Financial institutions; Multi-family dwellings; Commercial recreational and entertainment facilities; Auto repair and sales, mobile home/motor home rental and sales, boat storage and sales; Off street parking lots and garages and Filling stations.

**Secondary Uses:** Secondary uses shall be permitted pursuant to the Commercial land use introduction. In addition, the following secondary uses may also be permitted: Group care facilities; Transportation terminals and facilities (but not freight or truck terminals); Personal property storage establishments; Crematoria and Building trade contractors.

**Accessory Uses:** Warehousing, light manufacturing and fabricating may be permitted provided it is part of a commercial retail sales or service establishment, and the accessory use shall be located on a road classified as collector or higher on the Functional Highway Classification Map.

*(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). There is a companion Application for Small-Scale Land Use Amendment

to the Future Land use Map Series 2013C-020 (Ordinance 2013-639) that seeks to amend the portion of land that is within the MDR land use category to 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:

F.L.U.E. 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.

F.L.U.E. 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.

F.L.U.E. 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.

F.L.U.E. 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.

*(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 use of topography, physical environment and other natural features: The proposed site is almost surrounded by dense vegetation and wetlands. The site plan indicates that the uses will not encroach into the wetlands, thereby decreasing the natural screening.

The particular land uses proposed and the conditions and limitations thereon:

Compatible relationship between land uses in a mixed use project: The written description lists permitted uses that are found in the CCG-1 or CCG-2 zoning districts, which strengthen the internal compatibility.

*(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 at the terminus of Silver Lake Terrace. Along the north side of the road is zoned CCG-2 with auto repair and other similar uses. The south side of the road is zoned RMD-A with three single family dwellings. West of the site is zoned RMD-A with two single family dwellings. The residential lots are approximately 400 feet deep and heavily wooded. Commercial development at this location will not create any adverse impacts to the surrounding dwellings due to the size of the lots, existing vegetation and wetlands.

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	CGC	CCG-2	Restaurant, filling station, retail uses
South	MDR	RMD-A	Multi-family dwellings, Silversmith Creek
East	MDR	RMD-A	Single family dwellings
	CGC	CCG-2	Automotive repair, business office
West	MDR	RMD-A	Single family dwelling

*(6) Intensity of Development*

The proposed development is consistent with the proposed CGC functional land use category as a commercial development. The PUD is appropriate at this location as it will not create any

adverse impact to the surrounding uses.

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

The project does not require open space or recreation area.

*(8) Impact on wetlands*

The site plan did identify wetlands on the southern portion of the parcel. According to the written description, no development is to encroach on the wetlands. Any development impacting wetlands shall 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 September 30, 2013, 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 **2013-640** be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated July 26, 2013.
2. The subject property shall be developed in accordance with the revised original written description dated October 2, 2013.
3. The subject property shall be developed in accordance with the original site plan dated August 13, 2013.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated September 18, 2013 or as otherwise approved by the Planning and Development Department.
5. The monument signs shall be non-illuminated.
6. The portion of the property adjacent to the public street shall be screened by a visual barrier not less than six (6) feet in height and not less than 95% opaque.



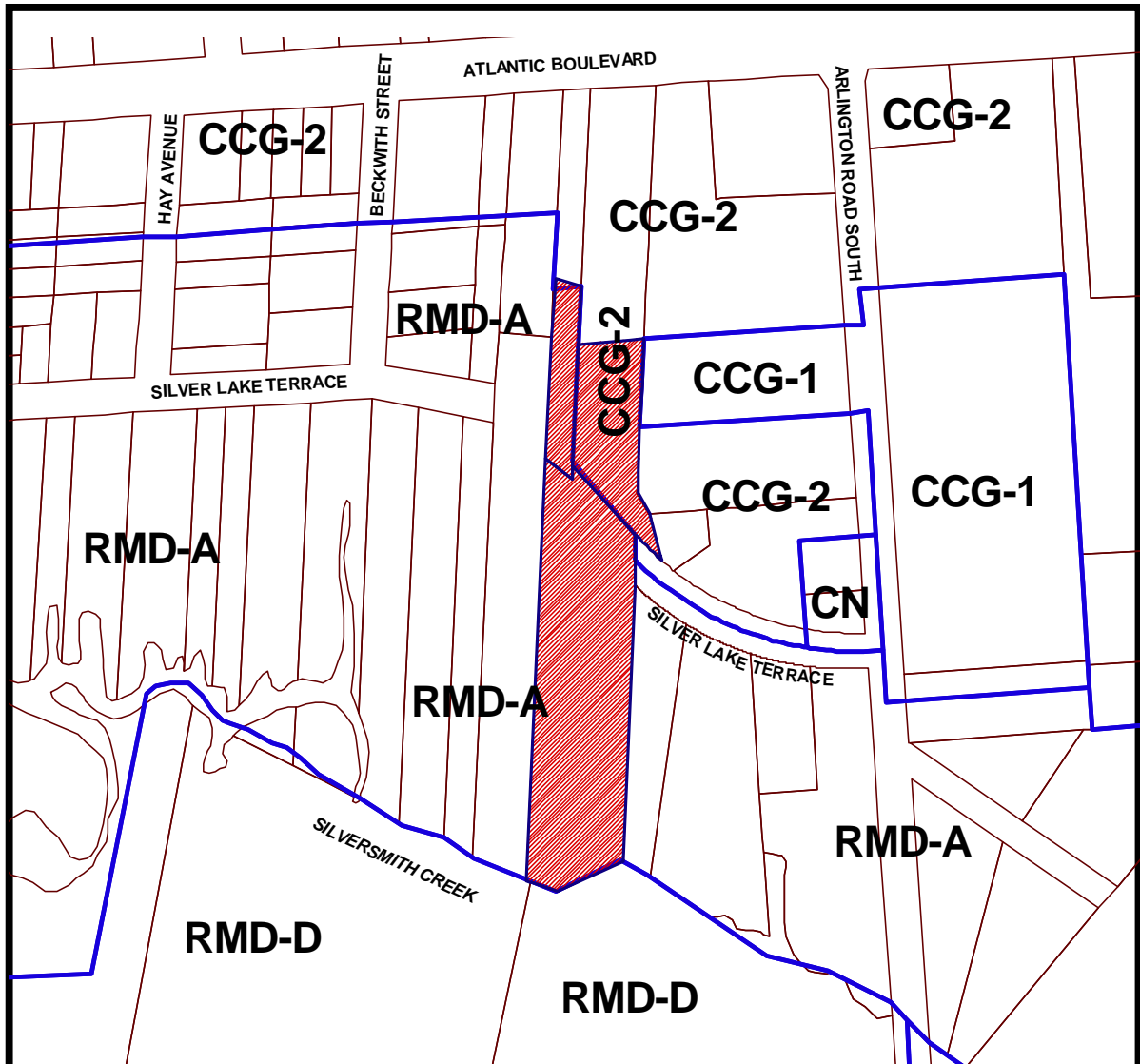


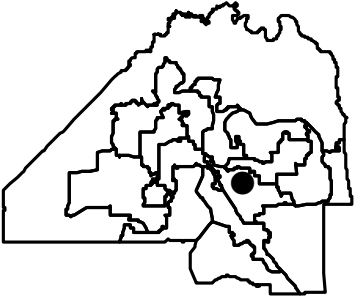
Entrance to the subject property









<p>REQUEST SOUGHT:</p> <p>FROM: RMD-A &amp; CCG-2</p> <p>TO: PUD</p>		<div data-bbox="1214 1432 1351 1579"> <p>N</p> <p>S</p> <p>W</p> <p>E</p> </div> <div data-bbox="1214 1612 1383 1663"> <p>0 100 Feet</p> </div> <div data-bbox="1156 1684 1399 1747"> <p>COUNCIL DISTRICT:</p> <p><b>4</b></p> </div> <div data-bbox="711 1789 1058 1831"> <p>ORDINANCE -2013-0640</p> </div> <div data-bbox="1198 1789 1360 1831"> <p>FILE COPY</p> </div>
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