

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2013-650 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 **2013-650** to Planned Unit Development.

Location: Northside of Philips Highway, between State
Route 9B and Racetrack Road

Real Estate Number(s): 168109 0000

Current Zoning District: Planned Unit Development (PUD 05-1212)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Neighborhood Commercial (NC)

Planning District: Southeast - 3

City Council District: The Honorable Bill Gulliford, District 13

Applicant/Agent: Travis Moore
FRAPAG Powers Bay, LLC
822 A1A North
Ponte Vedra Beach, Florida 32082

Owner: FRAPAG Powers Bay, LLC
822 A1A North
Ponte Vedra Beach, Florida 32082

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2013-650** seeks to rezone approximately 21 acres of land from PUD to PUD. The rezoning to PUD is being sought so that the property can be developed with professional, business offices, retail and service establishments, filling stations and other commercial uses. Access to the parcel from Philips Highway will be through PUD 2006-1152-E which is under the same ownership.

PUD 2006-1152 is within the U.S 1 Corridor Study. The Study focused on median and road improvements, pedestrian connections, landscaping and economic development.

The 21 acre subject parcel is part of a larger 87 acre PUD (2005-1212-E), which was approved for a maximum of 169 single family dwellings. This PUD was never commenced and remains undeveloped. See the site plan on page 8 of 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.

(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 Low Density Residential (LDR) 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 Large Scale Land Use Amendment to the Future Land Use Map Series 2013A-002 (Ordinance 2013-649) that seeks to amend the portion of the site that is within the LDR land use category to Neighborhood Commercial (NC). Staff is recommending that Application for Large-Scale Land Use Amendment to the Future Land use Map Series 2013A-002 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.

Neighborhood Commercial (NC) is a category primarily intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. Preferred development patterns include those described in Policy 3.2.6 of this element. These uses shall generally be located within walking distance of residential neighborhoods in order to reduce the number of Vehicles Miles Traveled. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods.

Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

The uses provided herein shall be applicable to all NC sites within the Suburban Area.

Principal Uses Offices, Business and professional offices including veterinary offices; Multi-family dwellings, when combined with another principal use; Filling Stations; Uses associated with and developed as an integral component of TOD; and Commercial retail and service establishments, except for new or used automobile sales, funeral homes, and broadcasting offices and studios.

(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): Low Density Residential (LDR). There is a companion Application for Large-Scale Land Use Amendment to the Future Land use Map Series 2013A-002 (Ordinance 2013-649) that seeks to amend the portion of land that is within the LDR land use category to NC.

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.

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 3.2.6 The City shall encourage neighborhood commercial uses to be located within one quarter mile of the intersections of roads classified as collector or higher on the Functional Highway Classification Map, except when such uses are an integral component of a mixed-use development, Traditional Neighborhood Development (TND), Transit Oriented Development (TOD), Rural Village or similar development. The City should prohibit the location of neighborhood commercial uses interior to residential neighborhoods in a manner that will encourage the use of local streets for non-residential traffic.

F.L.U.E. Objective 3.4 Where feasible, the City shall encourage all new developments to conform to a compact and connected growth pattern with land use diversity and improved interrelationships among living, working, shopping, education and recreational activities.

(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. The PUD written description does not list residential uses as permitted. 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 plan indicates the development will incorporate existing wetlands and ponds.

The use and variety of building groupings: The proposed site plan shows two buildings of approximately the same size 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 the Zoning Code.

Compatible relationship between land uses in a mixed use project: The written description of the intended plan of development lists commercial and service uses which are similar to the adjacent PUD 2006-1152. This similarity strengthens the internal compatibility with the surrounding proposed uses.

(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 approximately 1.5 miles south of the new State Route 9B interchange with Philips Highway. This area is expected to experience new development with the completion of State Route 9B to Interstate 95. There is existing development on the west side of Philips Highway. Commercial development at this location complements the existing various office, warehouse, 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	LDR	PUD (05-1212)	Undeveloped (proposed single family)
South	LDR	PUD (05-1212)	Undeveloped (proposed single family)
East	AGR-iv	AGR	Undeveloped
West	NC	PUD (06-1152)	Undeveloped (proposed commercial uses)

(6) Intensity of Development

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

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject parcel is landlocked, but will have access to Philips Highway through PUD 2006-1152 which is under the same ownership. Even though

PUD 2006-1152 is not part of this rezoning, the proposed site plan shows a coordinated development of the two parcels.

PUD 2006-1152 fronts on Philips Highway, which is an FDOT maintained roadway. FDOT will review and approve any access points on Philips Highway and their memorandum is included at the end of this report.

(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 identify wetlands on the 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

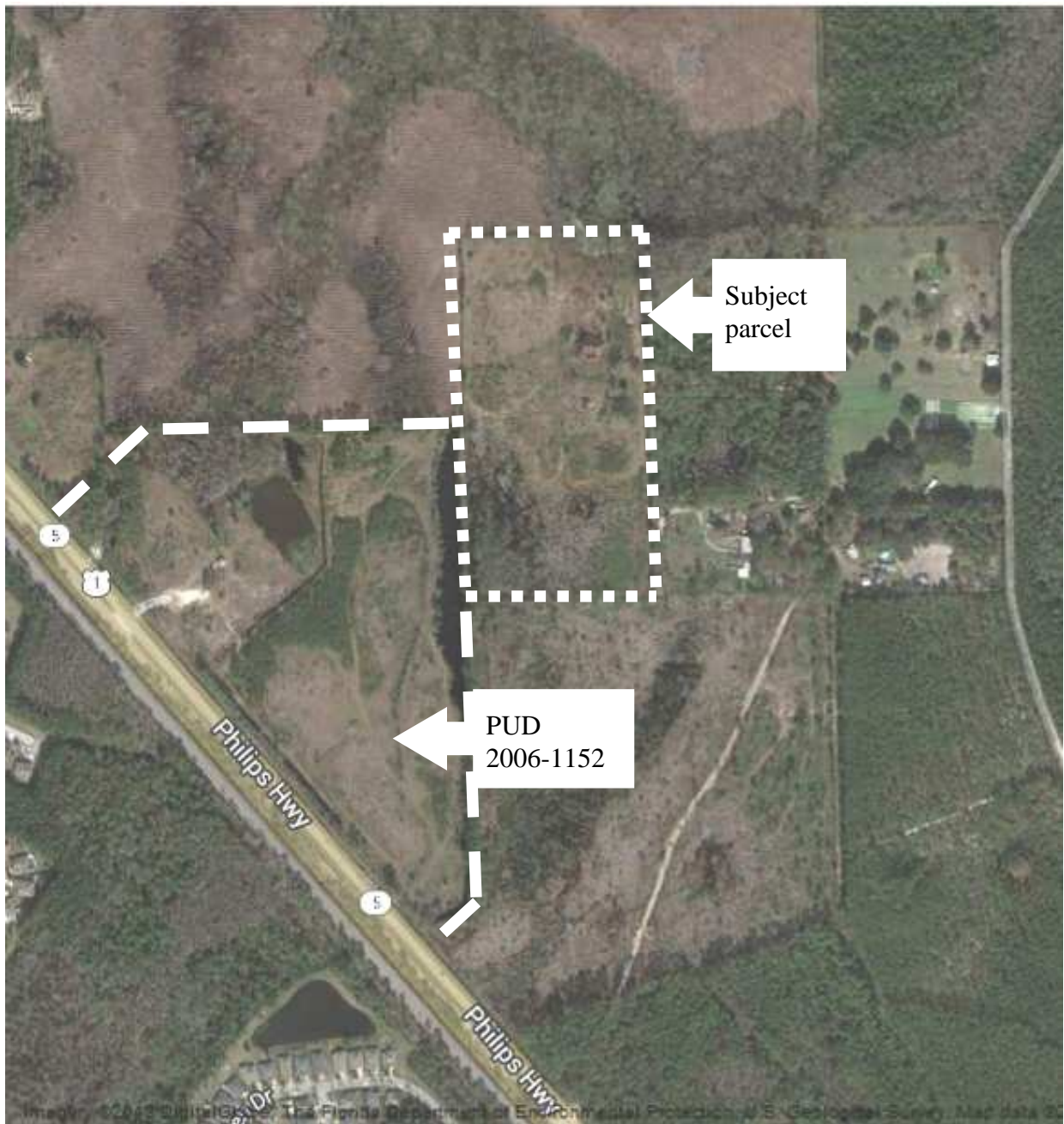
Upon visual inspection of the subject property on September 27, 2013, the required Notice of Public Hearing sign was posted.

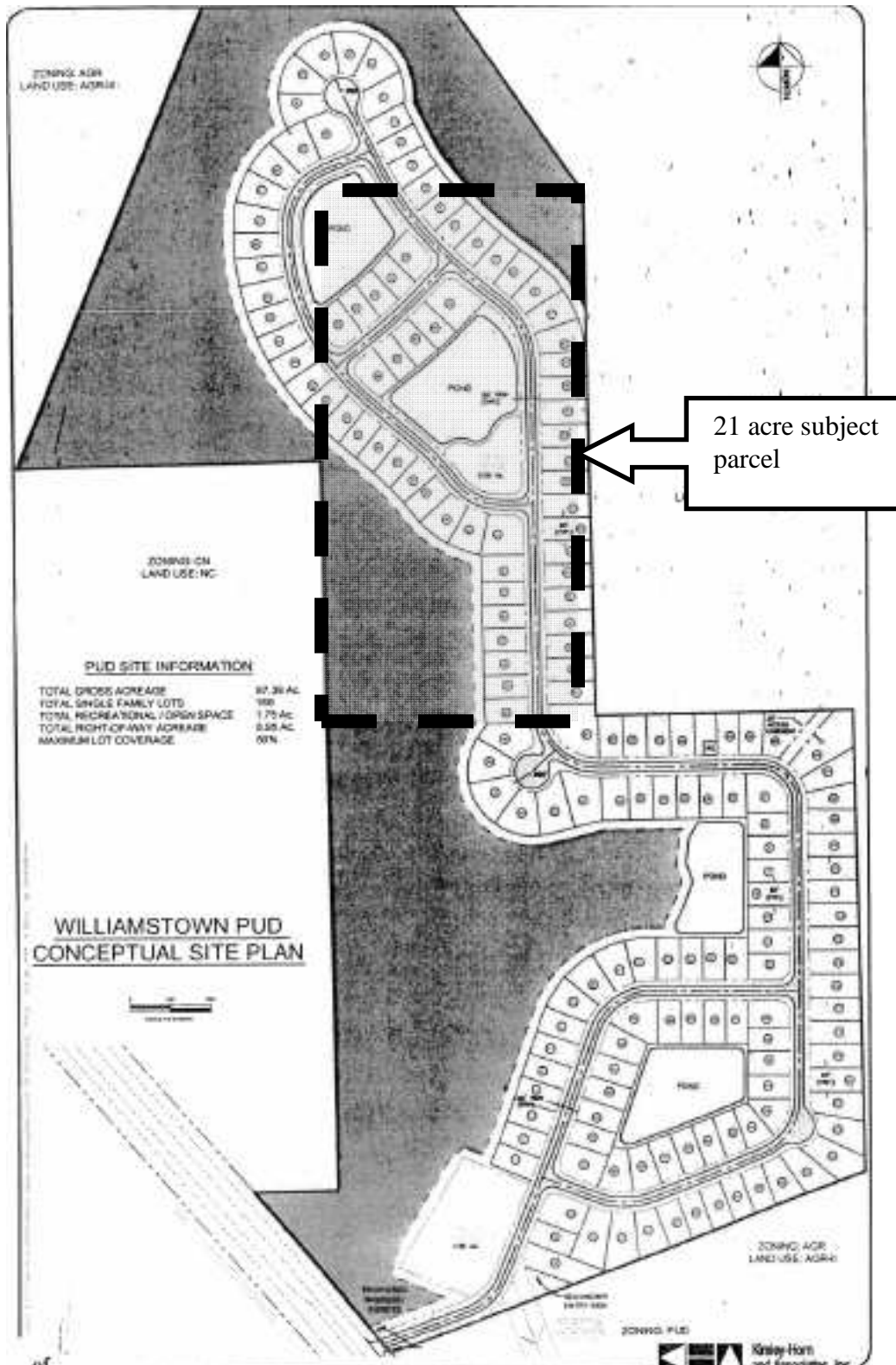


RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2013-650** be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated September 13, 2013.
2. The subject property shall be developed in accordance with the original written description dated August 29, 2013.
3. The subject property shall be developed in accordance with the original site plan dated May 28, 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.





PUD 2005-1212 Site Plan

