

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0875 TO
PLANNED UNIT DEVELOPMENT

January 23, 2020

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 2019-0875 to Planned Unit Development.

<i>Location:</i>	1845 Cherry Street; 1861 Cherry Street; and 2762 Vernon Terrace Between St. Johns Avenue and the St Johns River
<i>Real Estate Number(s):</i>	078443-0000; 078437-0000; 077847-0000
<i>Current Zoning District(s):</i>	Residential Low Density- 60 (RLD-60) Residential Medium Density- B (RMD- B)
<i>Proposed Zoning District:</i>	Planned Unit Development (PUD)
<i>Current Land Use Category:</i>	Low Density Residential (LDR) Medium Density Residential (MDR)
<i>Proposed Land Use Category:</i>	Medium Density Residential (MDR) High Density Residential (HDR)
<i>Planning District:</i>	Northwest, District 5
<i>Applicant/Agent:</i>	T.R. Hainline, Esq. Rogers Towers, P.A. 1301 Riverplace Boulevard Jacksonville, Florida. 32207
<i>Owner:</i>	J.P.E. Properties & Cherry Street LLP P.O. Box 50338 Jacksonville Beach, Florida. 32250
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Planned Unit Development 2019-0875 seeks to rezone approximately 1.56 +/- acres of land from RMD-B and RLD-60 to PUD. The rezoning to PUD is being sought to bring three historic properties into compliance with current Zoning Codes. The proposed rezoning is not proposing any new structures or additional units past the existing 15 units that occupy the three lots. The three structures were built in 1940, 1949, and 1955 respectively and are currently classified as legal non-conforming. However, in the event that these structures would need to be rebuilt or remolded past 50% of their structural value, the city would not approve their permits because they would lose their non-conforming status per Part 7 of the Zoning Code. This PUD application aims to relieve the possibility of losing the non-conforming status, and would ensure that the lots can remain in the current state that they are in today.

There is a companion Land Use Amendment, 2019-0874 (L-5403-19A). The proposed LUA is to change the existing Low Density Residential (LDR) and Medium Density Residential (MDR) to Medium Density Residential (MDR) and High Density Residential (HDR).

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 Low Density Residential (LDR) and 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 Semi-Annual Land Use Amendment to the Future Land Use Map Series L-5403-19C (Ordinance 2019-0874) that seeks to amend the site from the Low Density Residential (LDR) and Medium Density Residential (MDR) land use categories to Medium Density Residential (MDR) and High Density Residential (HDR). Staff is recommending that Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5403-19C 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. 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:

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 PUD would ensure that the properties stay in their existing multi-family uses and structures. The proposed project will comply with Goal 3 of the Comprehensive Plan by preserving the existing fabric and character of the surrounding Riverside neighborhood.

Objective 3.1 Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

The proposed PUD will comply with Objective 3.1 by maintaining land that is currently designated for residential uses and will continue to accommodate the growing population of the City.

(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:

The following additional criteria shall be considered by the Planning and Development Department, the Local Planning Agency, and the City Council when evaluating any land use or zoning application within the Riverside/Avondale Zoning Overlay District:

- (a) *Whether the proposed rezoning is consistent with the Riverside/Avondale Zoning Overlay District and the historic district regulations.*

The proposed rezoning is consistent with all regulations of the Riverside/Avondale Zoning Overlay. Any work done to the properties in the future will be required to obtain a Certificate of Appropriateness from the Historic Division of the Planning and Development Department.

(b) Whether the rezoning will negatively affect or alter the character of the character area or corridor.

The proposed PUD will not negatively affect the character of the Residential Character Area. The proposed rezoning will ensure the structures can be rebuilt into their existing forms.

(c) Whether the rezoning and subsequent future development would result in the destruction of natural resources such as wetlands, protected trees or exceptional specimen trees.

No new construction will arise from the approval of this PUD, therefore there will be no destruction of natural resources.

(d) Whether the rezoning would have a negative affect on any contributing structures within the Riverside Avondale historic district, as defined in Section 656.399.17, historic landmark or landmark site.

There will be no negative affects on any of the surrounding contributing structures.

(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) and Medium Density Residential (MDR). There is a companion Application for Small-Scale-scale Land Use Amendment to the Future Land use Map Series L-5304-19C (Ordinance 2019-0874) that seeks to amend the land use categories to Medium Density Residential (MDR) and High Density Residential (HDR). 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

Since this PUD is for existing dwelling units and does not incorporate adding any additional residential dwelling units or commercial development, there is no need for the applicant to apply for Mobility or a CCAS/CRC application with the Concurrency & Mobility Management System Office.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for Multi-Family Dwellings. This existing development will not exceed the 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 use of existing and proposed landscaping: All existing landscaped area will remain in their existing forms.
- The treatment of pedestrian ways: No pedestrian Right-of-Ways exist today, and none are proposed in this PUD.
- Traffic and pedestrian circulation patterns: All existing internal traffic patterns will remain in their current forms.
- The form of ownership proposed for various uses: All of the units and properties are owned by one single entity.

(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 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	HDR/LDR	PUD/RLD-60	Single and Multi-Family Dwellings
South	HDR/MDR	PUD/RMD-B	Single and Multi-Family Dwellings
East	HDR/MDR	PUD/RLD-60	Single and Multi-Family Dwellings
West	MDR/HDR	RMD/B/PUD	Single and Multi-Family Dwellings

(6) Intensity of Development

The proposed development is consistent with the MDR and HDR functional land use categories. The PUD is appropriate at this location because it has been in existence for over 60 plus years.

- The availability and location of utility services and public facilities and services: The existing structures will continue to be served by both centralized utility services.

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECTION
West Riverside #12	2	2	420	309	74%	75%
Lake Shore #69	2	1	1,328	959	72%	77%
Robert E. Lee #33	2	1	1,844	1,708	93%	99%

- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: All of the parcels are located within .10 miles of St. Johns Avenue. St. Johns Avenue is a minor arterial roadway that serves as a thoroughfare for the Riverside/Avondale Historic Neighborhood

(7) Usable open spaces plazas, recreation areas.

No new Open Space and Recreation are proposed for the existing sites.

(8) Impact on wetlands

No wetlands have been indicated on the parcels.

(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 existing parking that has existed on the site throughout its history will remain with this PUD proposal. There are currently 19 existing parking spaces serving the 15 residential units on the three parcels.

(11) Sidewalks, trails, and bikeways

This PUD seeks to permit the existing development that is presently utilized for multi-family dwellings with no proposed changes to the sidewalks.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on January 10, 2019 the required Notice of Public Hearing sign was posted.



Source: Planning and Development Department
Date: January 10, 2019

RECOMMENDATION

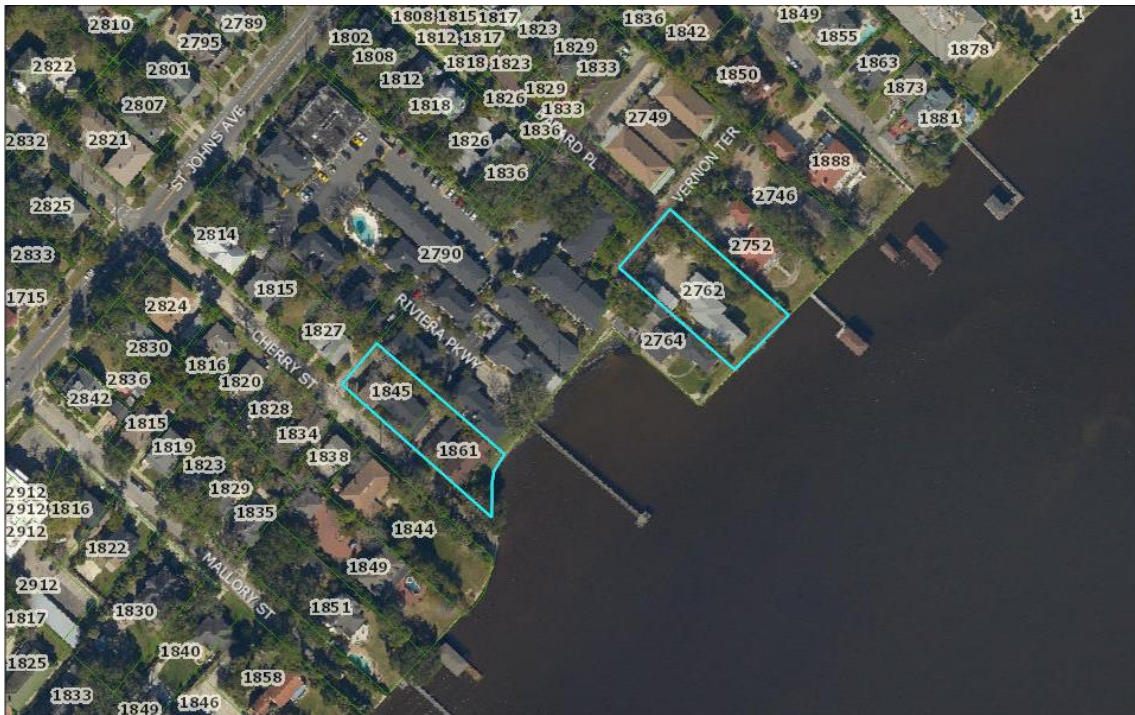
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2019-0875** be **APPROVED with the following exhibits:**

The Original Legal Description Dated: **November 13, 2019**

The Revised Written Description Dated: **December 17, 2019**

The Original Site Plan Dated: **November 14, 2019**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-0875** be **APPROVED.**



Aerial Map

Source: JaxGIS
Date: January 10, 2019



View of 1845 Cherry Street

Source: Planning and Development Department
Date: January 10, 2019



View of 1861 Cherry Street

Source: Planning and Development Department

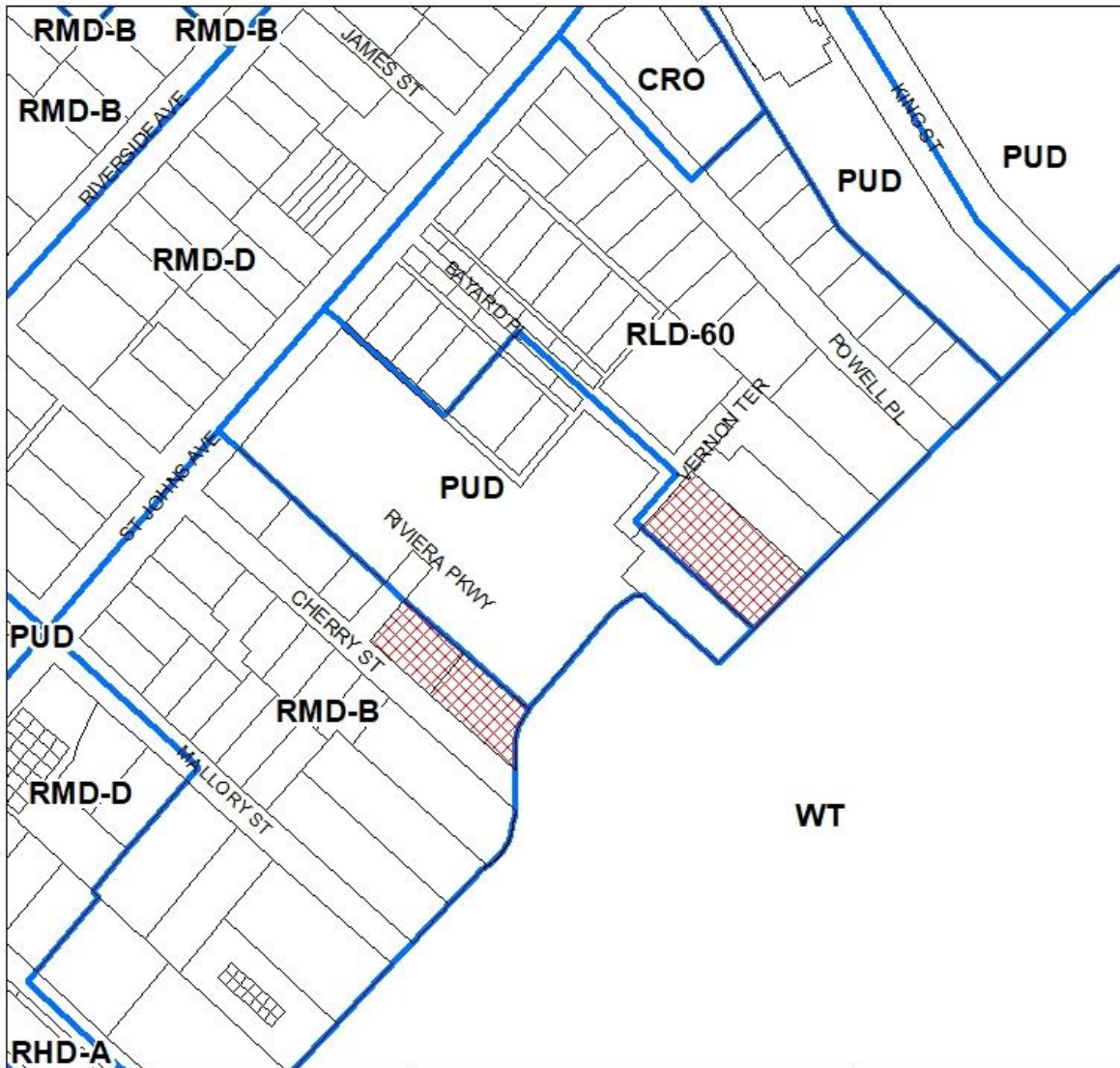
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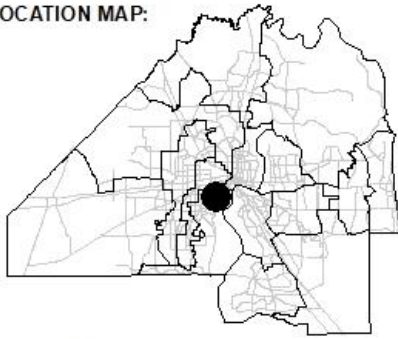
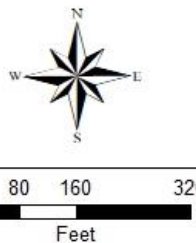


View of 2762 Vernon Terrace

Source: Planning and Development Department

Date: January 10, 2019



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-B & RLD-60</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER T-2019-2551</p>	 <p>COUNCIL DISTRICT: 14</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>
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Legal Map

Source: JaxGIS
 Date: January 10, 2019