

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0632 TO
PLANNED UNIT DEVELOPMENT

OCTOBER 3, 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 **2019-0632** to Planned Unit Development.

Location: 265, 281 and 285 44th Street East and 296 45th Street East
Between Sebald Lane and Liberty Street Boulevard

Real Estate Number: 031468-0000; 031467-0000; 031465-0000; 031511-0000

Current Zoning District: Residential Low Density-60 (RLD-60)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Public Buildings and Facilities (PBF)

Planning District: 5-Northwest

Applicant/Agent: Steve Diebenow, Esq.
One Independent Drive, Ste 1200
Jacksonville, FL 32202

Owner: Bruce Hickson
Unity Missionary Baptist Church of Jacksonville FL
12346 Raleigh Ridge Dr. S.
Jacksonville, FL 32225

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2019-0632** seeks to rezone approximately 0.87± acres of land from Residential Low Density-60 (RLD-60) to PUD. The rezoning is being sought to allow for a group care home operated in conjunction with the Unity Missionary Baptist Church. The

Property has historically included a church, fellowship hall and a two story school. The two story school building has been vacant since operations ceased and the Applicant proposes to redevelop that portion of the Property to provide room, board, and wraparound services for individuals in need. The Planned Unit Development will allow for the use of Group Care homes which is not permitted in the zoning district (RLD-60), while also grandfathering existing conditions of the property.

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.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

(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) 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-5377-19C (Ordinance 2019-0633) that seeks to amend the portion of the site that is within the Low Density Residential (LDR) land use category to Public Buildings and Facilities (PBF). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series L-5377-19C be approved. A description of the category is noted below.

According to the land use category description, Public Buildings and Facilities (PBF) in the Urban Development Area is intended to accommodate major public use or community service activities. Activities that provide community service functions vary in character and locational need. A primary consideration in locating these uses is to ensure that each use will function as it is intended, as an important part of the urban service delivery system.

Therefore, Staff finds the proposed rezoning to be consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Zoning Code.

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

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 (FLUE):

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

The proposed site is located within the Urban Area and will be served by both centralized Water and Sewer. The proposed use will be in compliance with Policy 1.2.9.

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 subject property is located along 44th and 45th Street East and if approved would allow a vacant underutilized building to be redeveloped to permit a group care home in connection with a church. The proposed redevelopment will protect and preserve the character of the surrounding neighborhood therefore being in compliance with Goal 3.

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.

The proposed rezoning to a PUD would allow for redevelopment for parcel that has been vacant and underutilize.

Recreation and Open Space Element

Policy 2.2.1

The City shall require that all new non-residential land uses, except in the Central Business District, provide a minimum of 10% of the property in open space

As demonstrated in the Written Description under Part F. Recreation and Open Space shall be provided as required by the 2030 Comprehensive Plan.

Brownfields Study Area

This site is located within the Brownfields Pilot Study Area by Resolution 2000-125-A as defined in F.S. 376.79(4). The property may or may not have contamination.

Since the property is located within a Brownfields Area, the owner may request the property be designated a Brownfield Site. A Brownfield Site is property where the expansion, redevelopment, or reuse of the property may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. The property owner may qualify for tax credits. Further information requests can be requested at Brownfields@coj.net.

Northwest Vision Plan

The subject property is located within the boundaries of the Northwest Jacksonville Vision Plan, in the area identified as the Trout River traditional building area. According to the Plan, the focus is to strengthen existing neighborhoods through revitalization and build on the character of older urban communities. The development of this property will help address that issue because it will allow the infill of an underutilized building for a group care home. Therefore, the proposed development is consistent with the recommendation of the Northwest Jacksonville Vision Plan

(C) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

The intended development will meet 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): Public Buildings and Facilities (PBF). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series L-5377-19C (Ordinance 2019-0633) that seeks to amend the portion of land that is within the Low Density Residential (LDR) land use category to Public Buildings and Facilities (PBF). 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.

Currently, there has been nothing submitted to the Concurrency & Mobility Management System Office regarding this proposed development. The agent/owner will need to submit a Mobility application and a CCAS / CRC application for review/assessment/approval by our office.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcel for group care home operated in conjunction with the Unity Missionary Baptist Church. Moreover, 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 existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The project will be developed with the required amount of open space as applicable in accordance with the Recreation and Open Space Element (ROSE) of the 2030 Comprehensive Plan.

The use of existing and proposed landscaping: The existing condition of the Property shall remain; provided, however, that a six (6) six (6) foot high, eighty-five (85) percent opaque fence and ten (10) foot landscape landscaped buffer shall be maintained along the western boundary of the Property; provided, however, that the required dumpster may be located within a small portion of the buffer adjacent to the parking area as generally depicted on the site plan but shall be no closer than two (2) feet from the property line..

The treatment of pedestrian ways: Pedestrian access shall be by way of existing sidewalks along 44th Street East and 45th Street East.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, vehicular access for any group care home or institutional use shall be 44th Street East. Access to the remaining portions of the property may be by 44th Street East, Sebald Lane, or 45th Street East. The final location of all access points is subject to the review and approval of the Development Services Division.

Request for review and comment was sent to the Transportation Department on September 13, 2019 and no feedback was received.

(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: Although being developed for storage use, the subject site will preserve the commercial character of the area by providing for a varying degrees of services within the immediate vicinity.

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 Property Use
North	LDR	RLD-60	Single Family Dwelling
South	PBF	PBF-2	Cemetery
East	LDR	RLD-60	Railroad
West	LDR	RLD-60	Single Family Dwelling

(6) Intensity of Development

The proposed development is consistent with the PBF functional land use category with specific reference to the following:

The availability and location of utility services and public facilities and services: The subject site will be serviced by JEA for city water and sewer. Additionally, in a memo provided by JEA dated September 13, 2019, the proposed project design shall meet the JEA Design Standards in effect at the time of construction plan submittal in order to accommodate an additional 13,888 gpd.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject property access will be provided via 44th Street East. There is no direct access to a state facility. US-17 (Main Street) is approximately 0.30 miles west of the subject property.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space as applicable in accordance with the Recreation and Open Space Element (ROSE) of the 2030 Comprehensive Plan.

(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 confirmed there is no presence of wetlands on-site.

(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 subject 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.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **September 17, 2019** by the Planning and Development Department, the Notice of Public Hearing signs **were** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2019-0632** be **APPROVED** with the following exhibits:

- The original legal description dated July 30, 2019**
- The revised written description dated September 18, 2019**
- The revised site plan dated September 26, 2019.**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-0632** be **APPROVED**.



Aerial View

Source: JaxGIS



Location of Group Care Home and Parking

Source: Planning & Development Dept.

Date: September 17, 2019



Existing Church and Administrative Building along 45th Street

Source: Planning & Development Dept.

Date: September 17, 2019



Entrance to Parking for church along Sebald Lane

Source: Planning & Development Dept.

Date: September 17, 2019



Property to the South

Source: Planning & Development Dept.

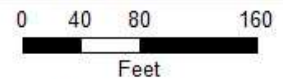
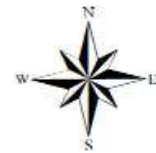
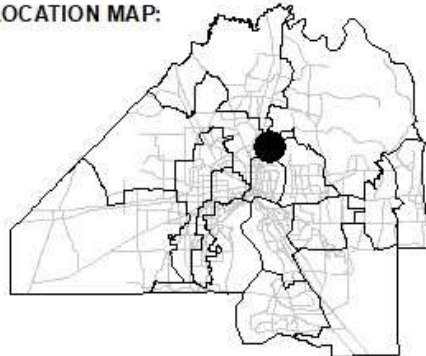
Date: September 17, 2019



REQUEST SOUGHT:

FROM: RLD-60
 TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

7

ORDINANCE NUMBER

ORD-2019-0632

TRACKING NUMBER

T-2019-2322

EXHIBIT 2
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