REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

<u>APPLICATION FOR REZONING ORDINANCE 2019-0799 TO</u>

PLANNED UNIT DEVELOPMENT

DECEMBER 5, 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 **2019-0799** to Planned Unit Development.

Location: 0 Hendricks Ave; 0 & 1532 Atlantic Blvd; 0 Thacker

Ave; 0 Mango Place; 0, 2025, 2035 Minerva Ave; 0, 2024, 2034 Arcadia Place, 1570 & 1605 Alford Place Between Barnett Street and Myrtle Avenue North

Real Estate Numbers: 081645-0000, 081642-0000, 081643-0000, 081648-

0010, 081652-0000, 081650-0000, 081649-0000, 081658-0000, 081659-0000, 081666-0000, 081660-0000, 081600-00000

0000

Current Zoning Districts: Planned Unit Development (PUD) 2014-0131-E

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: 3-Southeast

Applicant/Agent: Staci Rewis, Esq.

Gunster

225 Water Street, Suite 1750 Jacksonville, FL 32202

Owner: East San Marco, LLC

One Independent Drive Suite 114

Jacksonville, FL 32202

Staff Recommendation: APPROVE W/ CONDITIONS

GENERAL INFORMATION

Application for Planned Unit Development **2019-0799** seeks to rezone approximately 4.3± acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD). The rezoning to PUD is being sought in order to permit the development of 62,000 square feet of commercial space on Parcel A and 35 multi-family units consisting of apartments, townhomes, or a combination of both on Parcel C. Parcel D and E will be designated as off-street parking lots.

The current PUD, 2014-0131-E, allows for a maximum of 63,000 square feet of commercial space and 280 multi-family dwelling unit. The commercial space includes a neighborhood grocery store and retail/commercial stores of up to 46,000 square feet on Parcel A and an 8,000 square foot retail branch bank and 9,000 square feet of additional commercial space on Parcel B.

PUD Ord. 2014-0131-E was approved with the following conditions:

- (a) The design guidelines (i.e. colonnade, building height and building façade) for the multistory building to be constructed on Parcel A which are found in the first paragraph of Section II.A.1. and in the Building Height/ Façade subsection in Section II.A.2 of the PUD Written Description dated March 18, 2014 are hereby expressly incorporated as a condition of the PUD approval, provided that the Elevation Plan as generally depicted on PUD Exhibit H may be modified so long as such modification is consistent with the above referenced design guidelines.
- (b) Signage for PUD Parcels A and C shall be limited to the number, sizes, and types of Signage permitted in Section II.A.6 and Section II.C.5, respectively.

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 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. The site is located in the Community / General

Commercial (CGC) land use category of the Urban Priority Area (UPA) as identified on the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. CGC in the UPA is intended to provide compact development, which should generally be developed in nodal and corridor development patterns while promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment. Development that includes residential uses is preferred to provide support for commercial and other uses. Residential uses shall not be the sole use and shall not exceed 80 percent of a development. The proposed PUD request to decrease the number of multi-family units from a maximum of 280 to a maximum of 35 and to increase the commercial space allowed from a maximum of 57,000 square feet to a maximum of 62,000 square feet. 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.

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 <u>2030</u> Comprehensive Plan?

Yes. The proposed rezoning to Planned Unit Development is consistent with the <u>2030</u> <u>Comprehensive Plan</u> and furthers the following goals, objectives and policies contained herein, including:

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 maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

The proposed site is located within the Suburban 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 wall 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 Atlantic Boulevard and if approved the proposed commercial and residential development would allow for the construction of 62,000 square feet of commercial space and 35 multi-family units. The proposed commercial and residential development will protect and preserve the character of the surrounding neighborhood.

Policy 3.2.2

The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

The subject property is currently a vacant piece of land in a developed commercial area that has yet to be utilized and approval of this Rezoning would allow the developers to develop the property with uses that are similar in nature to the existing neighboring properties. Therefore Policy 3.2.2 would be accomplished by encouraging new development on vacant land within an area already thriving as a commercial area.

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.

Southeast Vision Plan

The Plan identifies the San Marco Area as a historic neighborhood that contributes to the sense of place of the District with distinct building scale, architecture and public spaces. While protecting these identifying elements of the neighborhood, the Vision Plan explains that additional growth and density could be supported along the edges of the neighborhood and more specifically along Hendricks Avenue. The Plan continues stating that in San Marco "new development which abuts existing neighborhoods should be compatible with existing neighborhood design, character scale, height, massing and use."

(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 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 San Marco Overlay:

The subject site is located within the boundaries of the North San Marco Neighborhood Action Plan. The Plan identifies the area of the subject site as the "Atlantic Boulevard Corridor," with an intention for the subject site to be designed at 3-6 stories and a maximum of 75 feet, so long as the height limitation is consistent with the San Marco Zoning Overlay. Specifically for this area, the Plan focuses on development's consideration of pedestrian-scale design features and shared

parking.

(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).

(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 is a Development Agreement in place for this proposed development on these parcels. Development Agreement # 76693.0: East San Marco was made valid on 8/17/2011. Any and all changes being made to the existing Development Agreement would need approval from the Concurrency & Mobility Management System Office, Transportation Planning and possibly the Director of Planning and Development.

The agent/owner would need to reapply for a new CCAS/CRC application under Development Agreement # 76693.0: East San Marco for this revised development to now be for 35 multi-family units and 62,000 enclosed sf of commercial use.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcel for a townhome development. Moreover, this proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For <u>2030 Comprehensive Plan</u>'s Future Land Use Element, contained within the Future Land Use Element (FLUE) of the <u>2030 Comprehensive Plan</u>.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors. An evaluation of the internal compatibility of a proposal Planned Unit Development shall be based on the following factors:

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: Unless otherwise approved by the Planning and Development Department, recreation open space will be provided in Sec. 656.420 of the zoning code.

<u>The use of existing and proposed landscaping</u>: The property is requesting to deviate from specific provisions of the City of Jacksonville Landscape and Tree Protection Regulations set forth in Part 12 of the City Zoning Code for (Parcels A, C, D and E) and are provided in Part C.

Landscaping of the Written Description.

<u>The treatment of pedestrian ways:</u> The project will contain a pedestrian circulation system that shall be subject to review by the City of Jacksonville Planning and Development Department to ensure the provision of proper accessibility for pedestrians. For Parcel A, new sidewalks adjacent to on-street parking will be six feet in width. Seating and Street furnishings are requested to be placed within the pedestrian rights-of-ways outside of the five foot unobstructed sidewalk area.

<u>Traffic and pedestrian circulation patterns:</u> As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced for Parcel A from Alford Place and Mango Place and Parcel C will be served by Minerva Avenue and Arcadia Place. The final location of all access points is subject to the review and approval of the Development Services Division.

Hendricks Avenue (State Route 13), from Interstate 95 to San Marco Boulevard, is the directly accessed functionally classified roadway. Hendricks Avenue is a 2-lane undivided arterial in this vicinity and is currently operating at 74.73% of capacity. This Hendricks Avenue segment has a maximum daily capacity of 17,700 vpd and a 2018 daily traffic volume of 13,228 vpd.

Atlantic Boulevard, from Interstate 95 to San Marco Boulevard, is another directly accessed functionally classified roadway. Atlantic Boulevard is a 4-lane divided minor arterial in this vicinity and is currently operating at 33.14% of capacity. This Atlantic Boulevard segment has a maximum daily capacity of 33,480 vpd and a 2017 daily traffic volume of 10,331 vpd.

This development is for 35 dwelling units of ITE Code 220 Multi-Family Low Rise, which would generate 256 vpd. This development is also for 62,000 SQFT of ITE Code 820 Shopping Center, which would generate 5237 vpd.

Comments received from Traffic and Engineering on November 18, 2019:

- Signage, landscaping, and parking shall not obstruct horizontal sight distance ad defined in FDOT Design Manual Section 212.11.
- All on street parking spaces shall meet the requirements in the Florida State Statutes Chapter 316.
- Chapter 654 of the City of Jacksonville Code of Ordinances is not part of the Zoning Code and a rezoning of a property is not the appropriate way to address these requirements. This includes storm water treatment.
- Any vehicular control sign in the city right of way a decorative post or finial shall be maintained by the developer/property manager. A Revocable Permit and Indemnification Agreement will be submitted and recorded for such signs.
- Traffic does not support maneuvering/backing in public right-of-way for loading and unloading.
- Sidewalk adjacent to parking shall be 6' in width. Sidewalk adjacent to curb and sidewalk that does not meet clear zone requirement shall be a minimum of 6' in width.
- Creation of angled parking in the city right of way shall be by separate ordinance, not a rezoning, or by Ordinance 2012-635-E, which requires approval by the City Engineer.

- A Crosswalk crossing Atlantic Blvd shall be provided between Mango Place and Arcadia Place. The exact location will be determined by the City Traffic Engineer and Development Services Division. The crosswalk shall be supplemented by RRFB signage meeting FDOT requirements.
- Provide a traffic study to determine the need for left turn lanes on Atlantic Blvd at Mango Place, Minerva Avenue and Arcadia Place. Any work needed at these intersections will be the responsibility if the developer.
- The traffic study shall also include a traffic impact analysis for the Atlantic Blvd/Hendricks Ave intersection, and shall determine the viability of removing one of the eastbound lanes on Atlantic Blvd and the eastbound transition through the intersection.

The use and variety of building setback lines, separations, and buffering: Minimum setback requirements differ between Parcels A, C, D, and E and are described in detail in the Written Description. The project is an urban infill project and setbacks are anticipated to be minimal in design. Refer to Written Description for more detailed information on buffers.

The use and variety of building sizes and architectural styles: Architectural style of buildings constructed on Parcels A and C will be consistent and compatible with the surrounding residential and commercial structures. Parcel A buildings will have a Mediterranean and/or Spanish architectural style and Parcel C will have Mediterranean, Colonial, brownstone or Prairie School Style. The front facades of the buildings located along Atlantic Boulevard, Hendricks Avenue, Alford Place and Mango Place are depicted on Elevation Plans provided in application. The Elevation Plans are only conceptual in nature and designs will be subject to requirements provided in the Written Description.

<u>The use and variety of materials:</u> Exterior building materials may include stucco, brick or some combination thereof. Roof materials will consist of concrete tiles, slate, standing seam or architectural shingles that fit the design and vernacular of the area.

The separation and buffering of vehicular use areas and sections of vehicular use areas:

Dedicated parking for the retail commercial and residential uses shall be segregated within the structure located on Parcel A. Additional overflow parking will be provided on Parcels D and E.

The form of ownership proposed for various uses: The owners may establish owners' associations for and/or implement covenants, conditions and restrictions over the residential and commercial components of the project to ensure long-term maintenance of the buildings and public areas to be constructed within the PUD boundaries.

(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:

<u>The type, number and location of surrounding external uses</u>: The proposed development is located along Atlantic Boulevard and is surrounded by similar commercial uses. To the north of

the property along Atlantic Boulevard is mostly office and commercial uses with a church at the northwest corner of Atlantic Boulevard and Hendricks Avenue in the CGC land use category. To the west of the property along Hendricks Avenue are retail/restaurant and office uses in the CGC land use category; the San Marco Square Shoppes are about one block west from Hendricks Avenue. To the south of the property along Alford Place is restaurant/office and church uses closest to Hendricks Avenue in the CGC and Residential-Professional-Institutional (RPI) land use categories; further down Alford Place still south of the subject property are mostly single family homes in the RPI land use category.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent	Land Use	Zoning	Current Use
Property	Category	District	
North	CGC	CCG-1	Office Space
South	CGC	CCG-1	Church
East	CGC	PBF-1	Park/ Recreational
West	CGC	CCG-1	Shopping Center

(6) Intensity of Development

The request is for a rezoning from PUD to PUD to decrease the number of multi-family units from a maximum of 280 to a maximum of 35 and to increase the commercial space allowed from a maximum of 57,000 square feet to a maximum of 62,000 square feet. The PUD is appropriate at this location with specific reference to the following:

<u>The existing residential density and intensity of use of surrounding lands</u>: The subject properties are predominantly surrounding by commercial uses but does have some residential in the area. The surrounding residential are single family dwellings to the South located in RMD-A zoning district. The proposed request for 35 dwelling units is less than what is allowed by right with the current PUD 2014-0131-E, which allows for 280 units.

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 November 20, 2019, project development to consist of a mixed use development consisting of 35 multifamily units and 62,000 sf of commercial space. JEA Availability Number 2019-3590 was issued on 10/14/2019 for the proposed development for 25,450 gpd. Final project design to meet the JEA Design Standards in effect at the time of construction plan approval.

PUD Section III A notes that grease traps will be located within the City of Jacksonville right-of-way and Section III D notes that the backflow preventers may be located within the City of Jacksonville right-of-way. Typically this equipment is placed on private property. If this configuration is allowed by the City, it should be noted that these items shall not be dedicated to or accepted by JEA for operation and maintenance.

School Capacity:

Based on the Development Standards for impact assessment, the $10.10\pm$ acre proposed PUD rezoning has a development potential of 83 townhomes. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

School concurrency LOS is the methodology used to analyze and to determine whether there is adequate school capacity for each school type (elementary, middle, and high school) to accommodate a proposed development. The LOS (105% of permanent capacity) is based on Concurrency Service Areas (CSAs), not the closest school in the area for elementary, middle and high schools, as well as on other standards set forth in the City of Jacksonville School Concurrency Ordinance.

In evaluating the proposed residential development for school concurrency, the following results were documented:

School Impact Analysis PUD 2019-0799

Development Potential: 35 Townhomes

School Type	CSA	2018-19 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats
Elementary	4	5,759	85%	6	100%	65
Middle	4	4,199	86%	3	85%	238
High	4	729	57%	3	86%	5
Total New Students				12		

Total Student Generation Yield: 0.333

Elementary: 0.167 Middle: 0.073 High: 0.093

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

Public School Facilities Element

Policy 2.3.2

The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate

with adequate school capacity.

Policy 2.3.3

The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

Objective 3.2

Adopted Level of Service (LOS) Standards

Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long-range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

Policy 3.1.1

The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City's Capital Improvement Plan.

Supplemental School Information:

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance.

SCHOOL	CONCURRE NCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/ Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECT ION
Hendricks Avenue ES #71	4	6	659	657	101%	105%
Dupont MS #66	4	3	1,071	831	78%	79%
Terry Parker HS #86	4	3	1,866	1,626	87%	89%

- Does not include ESE & room exclusions
- Analysis based on a **maximum** 35 dwelling units 2019-0799

(7) Usable open spaces plazas, recreation areas.

Per Recreation and Open Space 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. Land-use Table provided in applications shows a total of 1.06 Acres of passive open space (25%) and 0 acres of active recreation and/or 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 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.

Off-Street parking requirements including loading and unloading areas will be specific to each parcel of the project with additional overflow parking provided on Parcel D &E.

(11) Sidewalks, trails, and bikeways

This development is subject to mobility fee review. Pursuant to Policy 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan, the applicant must provide for the convenient and safe access by and securing of bicycles on site. The bicycle parking must be consistent with the requirements outlined in Part 6 of the Zoning Code.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 14, 2019** by the Planning and Development Department, the Notice of Public Hearing signs <u>were</u> posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2019-0799** be **APPROVED** with the following exhibits:

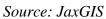
The original legal description dated October 16, 2019 The revised written description dated November 21, 2019 The revised site plan dated October 14, 2019

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2019-0799 be APPROVED W/ CONDITIONS.

- 1. Parcel A shall be limited to one (1) single-sided project indentification monument sign; maximum sign area of twenty-four (24) square feet with a maximum height of eight (8) feet.
- 2. Wall signage for the grocery store shall be limited to a maximum of size of 100 square feet each.
- 3. All directional signage shall be limited to a maximum of four (4) square feet.
- 4. Parcel C will be limited to one (1) wall sign along Atlantic Blvd maximum of 10% of the building façade.
- 5. Parcel D & E shall be limited to directional signage with a maximum size of 1 foot by 2 feet each and shall be located within the parking ares of each parcel.
- 6. The project shall be developed in accordance with the following conditions from Transportation Planning Division:
 - a. A traffic study must be provided to determine the need for left turn lanes on Atlantic Boulevard at Mango Place, Minerva Avenue, and Arcadia Place. Any necessary work at the intersections will be the responsibility of the developer. This traffic study shall also include a traffic impact analysis for the Atlantic Boulevard/Hendricks Avenue intersection, and shall determine the viability of removing one of the eastbound lanes on Atlantic Boulevard and the eastbound transition through the intersection.
 - b. A crosswalk crossing Atlantic Boulevard shall be provided between Mango Place and Arcadia Place. The exact location will be determined by the Traffic Engineer and Development Services Division. The crosswalk shall be supplemented by RRFB signage meeting FDOT requirements.
 - c. Any vehicular control sign in the city right of way, decorative post, or finial shall be maintained by the developer/property manager. A Revocable Permit and Indemnification Agreement will be submitted and recorded for such signs.



Aerial View





View of Parcel A: Corner of Alford Place and Mango Place

Source: Planning & Development Dept. Date: November 14, 2019



View of Parcel D: Mango Place

Source: Planning & Development Dept.

Date: November 14, 2019



View of Parcel E: Corner of Alford Place and Minerva Avenue

Source: Planning & Development Dept.

Date: November 14, 2019



View of Parcel C: Arcadia Place

Source: Planning & Development Dept.

Date: November 14, 2019



View of Parcel B: PUD 2014-0131-E

Source: Planning & Development Dept. Date: November 14, 2019

