

HIGHEST & BEST USE POTENTIAL

- R-1 RENOVATION**
Building Facade Enhancements - Vehicular Use Area Enhancements w/ Landscape Lighting Site Furnishing to Support Existing Land Use and Service
- R-2 RETROFIT**
New & Existing Building Improvements - Site & Vehicular Use Area Improvements to Support New Land Uses and Service
- R-3 REDEVELOPMENT**
Substantial Complete Building Replacement & Site Assembly - to Support New Economic Users & Building Typologies
- CR CATALYTIC REDEVELOPMENT**
Land Assembly w/ New Area Infrastructure, New Building Typology to Support Additional Economic Drivers, Job Housing Balance, Shops, Services, Civic Elements and Parks

2023 -425

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2023-0425 be **APPROVED with the following exhibits:**

1. The original legal description dated April 24, 2023.
2. The revised written description dated November 1, 2023.
3. The revised site plan dated February 1, 2024.

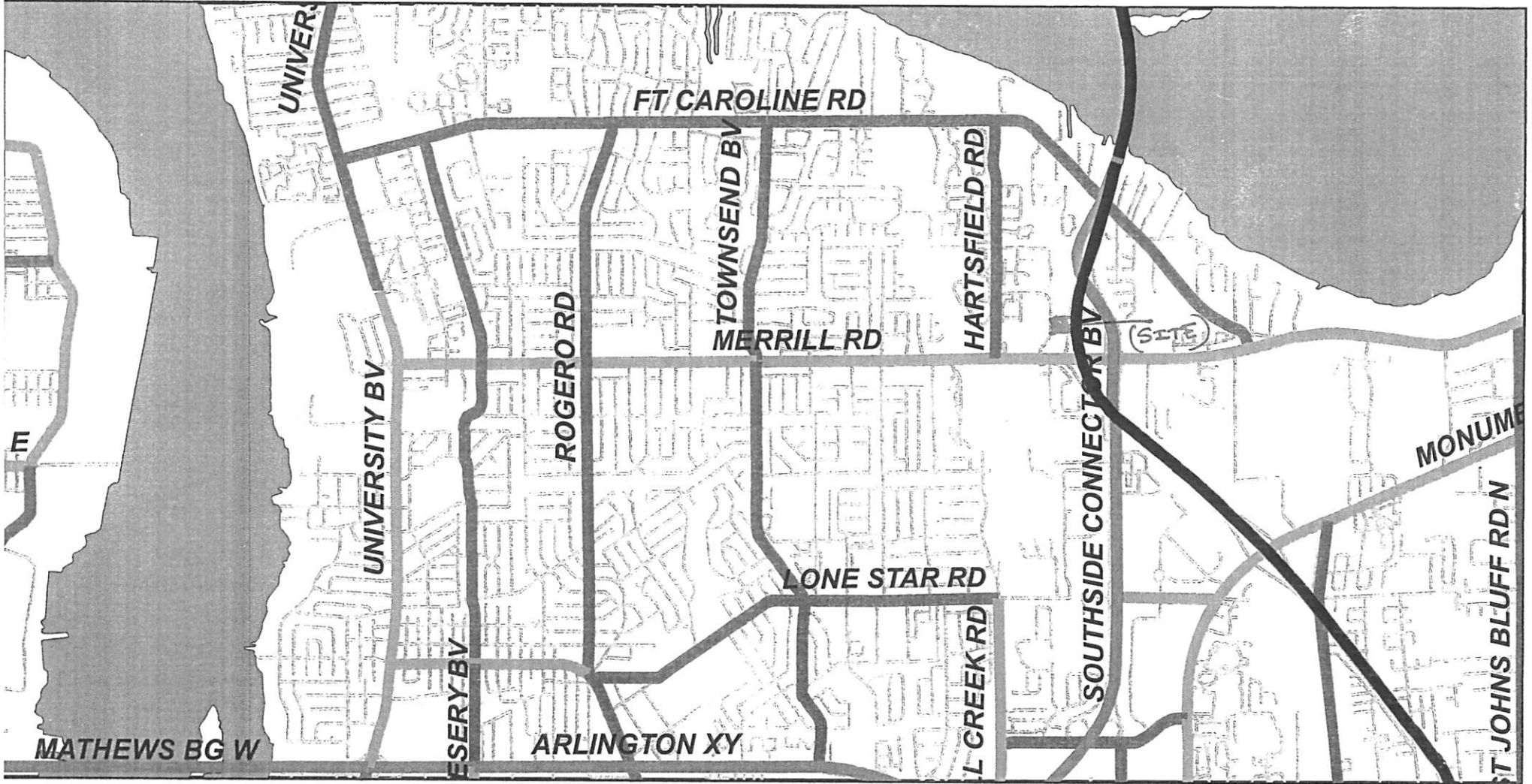
Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2023-0425 be **APPROVED W/ CONDITIONS.**

1. Any applicable permitted use shall meet the additional performance standards as listed in Section 656.399.62.E.4 of the Zoning Code.
2. The PUD and adjacent parcels may have cross access agreements to share the proposed access points. The final location and number of all access points is subject to the review and approval of the City traffic engineer and the City Planning and Development Department.
3. The maximum lot coverage shall be 35%.
4. Administrative Modifications & Minor Modifications under the City Zoning Code 656.341 are excluded where the proposed PUD modification would alter or supersede the provisions of the Renew Arlington Zoning Overlay. Such Modifications shall be processed as a rezoning to allow for procedural review and approval.
5. Any design criteria in the Renew Arlington Zoning Overlay that refers to a public right-of-way or collector roadway shall apply to Dames Point Crossing Boulevard.
6. The Covenants and Restrictions as required in Ordinance 2003-192-E Section 3.c. shall remain in effect for this parcel unless removed in accordance with Florida Statutes.

Opposition to Conditions #5 and #6

5. The City and its staff are ~~prohibited from adopting such a provision~~ as it serves to change the designation of roadway, which are already designated by the City's 2045 Comprehensive Plan as a LOCAL ROAD. The only permitted method to revise the designation of such a roadway is to Amend the 2045 Comprehensive Plan through a Text Amendment, designating this roadway as a Collector Roadway.
 - A property owner cannot amend a roadway designation (2045 Comprehensive Plan) via a rezoning, the CRA Staff is similarly precluded from such action (See Page 4).

6. Covenants and Restrictions are a civil matter, applying between property owners and not enforceable by the City. The Zoning Code addresses this in Section 656.107, seeking to protect civil rights and noting that if the code provides for a more restrictive standard, the Chapter will control. Therefore, in consideration of the Planning and Development Department Staff report, which also suggests not conditioning the PUD to the previous covenants, (Page 5) this condition should also be removed.



-  Collector
-  Minor Arterial
-  Local

The subject property is currently part of the larger Planned Unit Development passed in 2003. The original PUD does not permit for a warehousing use, which is why the applicant is seeking the rezoning.

The property is also located within the boundaries of the Renew Arlington CRA and the Renew Arlington Zoning Overlay. This application was presented to the Renew Arlington CRA Advisory Board on February 14, 2024 and voted to recommend approval with six conditions. These conditions can be found in the attached memorandum dated February 21, 2024. The Planning Department has also listed those six conditions as conditions for this staff report.

PUD Ord. 2003-192-E was approved with the following conditions:

1. The development shall proceed in accordance with the revised Traffic Engineering Memorandum dated February 18, 2003, attached hereto and incorporated by this reference as Exhibit B, or as otherwise approved by the Traffic Engineer, FDOT, and Planning and Development Department.
2. A lighting plan shall be submitted to the Planning and Development Department for review and approval. The lighting plan shall specify light intensities, fixture heights and light type/sources.
- 3) The Covenants and Restrictions concerning the architectural design shall be submitted for review and approval of the Planning and Development Department prior to recording.

The Planning & Development Department has reviewed the conditions of the enacted ordinance and forwards the following comments:

1. The Department does not recommend forwarding the above listed conditions due to the proposed PUD only applying to a portion of the original PUD and the establishment of the Renew Arlington Zoning Overlay. The applicant has noted in the written description that they intend to comply with the overlay. Staff has also forwarded new conditions from the Renew Arlington CRA Advisory Board.

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 2045 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 2045 Comprehensive Plan.

144 145





CURRENT LAND USE



Single Family Residential

MDR

ROCK ROSE LN

Proposed Plan

TUXEDO CT

SERENADE CIR S

IVYLENA RD

Single Family Residential

Single Family Residential

LDR

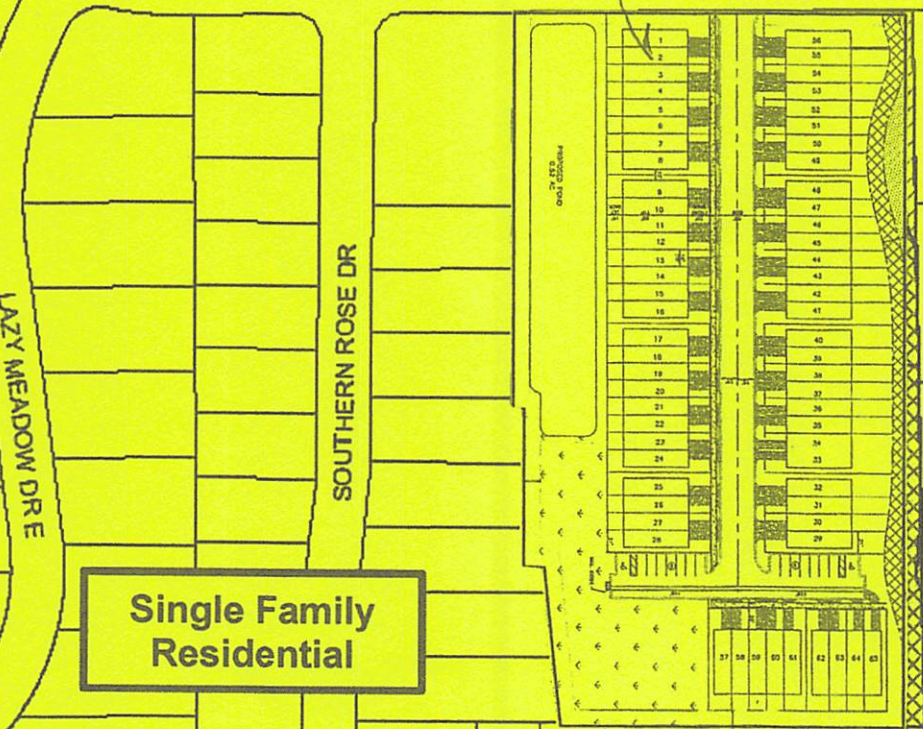
SOUTHERN ROSE DR

LAZY MEADOW DRE

Pond

L-5876-23C

OTTERWOOD CT



W0

144

was 7cm...
was 8 and new object
Enough Detail

LDR
Low Density Residential

MDR
Medium Density Residential

2020-044

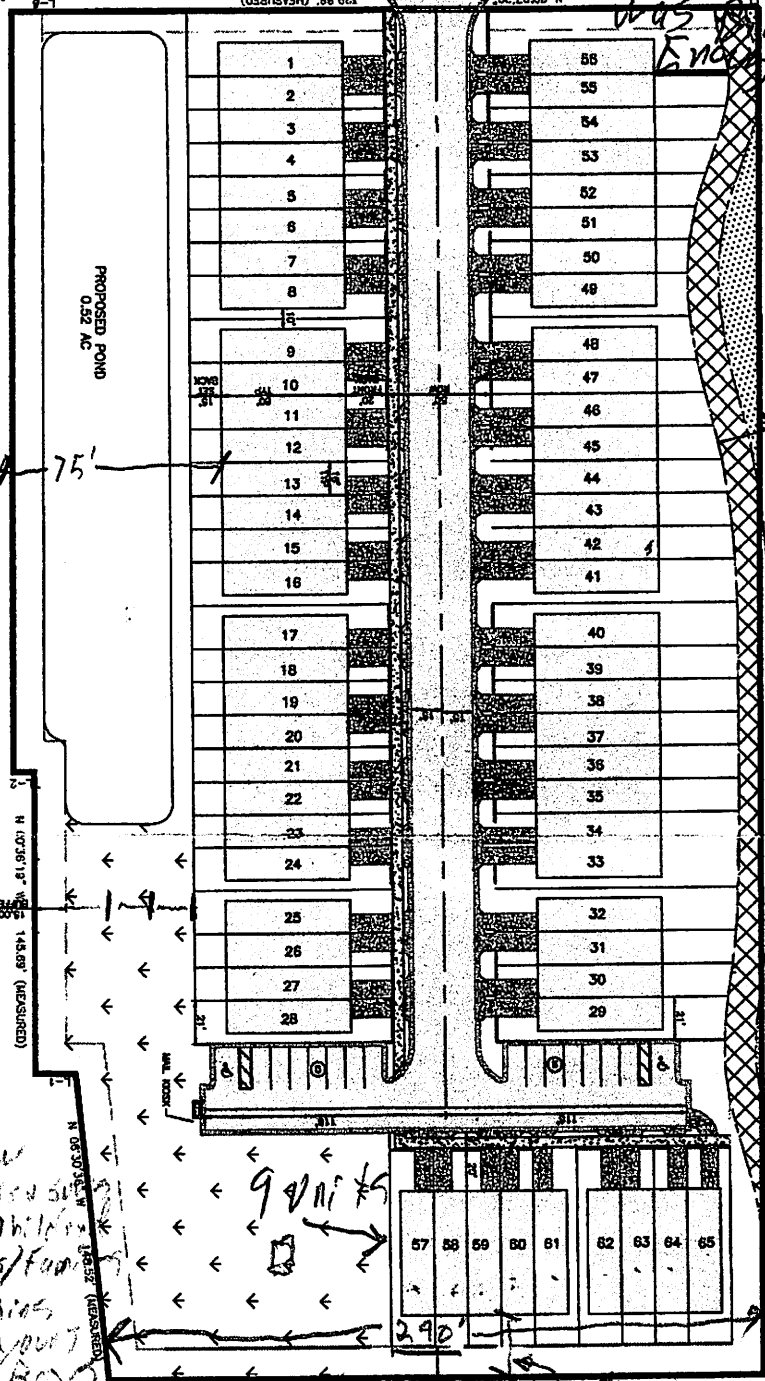
6 Homes
w/ NO
...
NO obstructions
Trees will
Come Down
for prefrontal
pond

Plus 6 Home
In Center
Section

Niece
Nephew
Daughters
Grand children
Friends/family
In Bathing
suits, young
Girls + boys

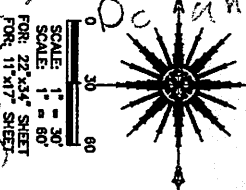
12 paces/steps
From pool to
Town
Homes
30' From pool
to Town Homes
NO sound Barrier
From 2nd floor Family
Are these trees
coming down in Buffer?

5 Town Home Balconies
24' looking down in
Back yard walkways
all down
Town



SITE DATA

PROJECT AREA	= 5.29 AC
RECREATION AREA	= 0.66 AC
ASPHALT AREA	= 0.54 AC
SIDEWALK AREA	= 0.08 AC
DRIVEWAY AREA	= 0.35 AC
BUFFER AREA	= 0.55 AC
CONSERVATION AREA	= 0.82 AC
BUILDING AREA	= 1.94 AC



DATE	
BY	
CHECKED	
APPROVED	
SCALE	1" = 30'
FORM	ZZ-034 SHEET
FOR	11/11/17 SHEET

IVYLENA TOWNHOMES
FOR
CLIENT
MASTER PLAN

ENGINEER OF RECORD
JONATHAN SHERMAN II
FLORIDA
REGISTRATION NUMBER:
32223

TOCOI Engineering, LLC
714 HICKORY CREEK AVENUE, GREEN COVE SPRINGS, FL 32043
704-515-1200 FAX NUMBER 3203

SOUTHERN ROSE DR

PUD

27 270
ONE-UNIT

RR-Acre

REQUEST SOUGHT:

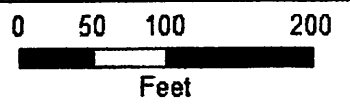
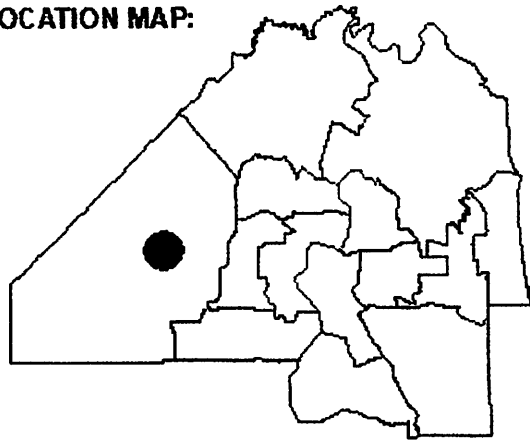


RR-ACRE TO PUD



RR-ACRE TO CSV

LOCATION MAP:



COUNCIL DISTRICT:

3

ORDINANCE NUMBER

ORD-2024-0145

TRACKING NUMBER

T-2023-5202

**EXHIBIT 2
PAGE 1 OF 1**