

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2020-18 TO
PLANNED UNIT DEVELOPMENT

FEBRUARY 6, 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 **2020-18** to Planned Unit Development.

Location: 2971 Waller Street between McDuff Avenue South and Willow Branch Avenue

Real Estate Number(s): 063331-0000, 063332-000

Current Zoning District(s): Commercial Community General-1 (CCG-1)
Planned Unit Development (PUD 2008-546)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)
Business Park (BP)

Planning District: Northwest, District 5

Applicant/Agent: Robert G. Morgen
RGM Engineers, Inc.
1928 River Lagoon Trace
St. Augustine, Florida 32092

Owner: Bishop Goodman
One Accord Gospel Temple
2971 Waller Street
Jacksonville, Florida 32254

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development 2020-18 seeks to rezone approximately 1.48 acres of land from CCG-1 and PUD to PUD. The rezoning to PUD is being sought to allow the existing church to expand with a new sanctuary, day care, school and parking area.

PUD Ord. 2008-546-E was approved with the following conditions:

- (a) Development shall proceed in accordance with the Development Services Division Memorandum dated January 29, 2009, or as otherwise approved by the Planning and Development Department.
- (b) The entrance on Willow Branch Avenue shall be designed as a “right-in/right-out”, or “right-in only” entrance, subject to the review and approval of the Development Services Division.
- (c) Medical clinics shall be limited to one doctor and one physician’s assistant and the following uses are prohibited: banks, loan companies and similar financial institutions such as check cashing or payday loans, sale of food or drugs, delicatessens, bake shops, restaurants, filling stations, retail outlets for the sale of used items, and retail sale of all alcohol beverages for on-premises or off-premises consumption.
- (d) The visible exterior finishes of any building shall be a combination of brick, masonry, stucco, glass, wood, or metal. The code-compliant roof shall be pitched with combined guttering and may be constructed of metal. The base of the building on the south and east side shall be masonry, block, brick, vinyl or stucco, and at least four feet in height. There shall be an extended personal front door with covered portal stoop and outdoor air conditioning units shall be screened. The colors of the building shall be warm earth tones, high intensity, or pastel colors and scrambled or blotched patterns are prohibited. The Planning and Development Department shall review and approve architectural materials at the time of verification of substantial compliance of the PUD.

The Planning & Development Department has reviewed the conditions of the enacted ordinance and forwards the following comments: The PUD is for a portion of the overall site under the proposed application. The existing PUD was intended for a commercial building. The project was never commenced and the church has acquired the property. Staff has determined the conditions do not need to be continued with this application.

The subject site is located within the boundaries of the North Riverside Neighborhood Action Plan (2003). Although the plan does not directly address the subject site, it addresses the need to provide a transitional zoning district that is less intensive than industrial uses. The proposed PUD allows for only church, daycare, and school uses.

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 Community General Commercial (CGC) and Business Park (BP) functional land use categories 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 CGC land use category in the Urban Priority Development Area is intended to provide compact development which should generally be developed in nodal or corridor development patterns while promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment. Uses permitted within the CGC land use category include commercial retail sales and services establishments, including auto sales; restaurants; office; business and professional office; and financial institutions. The BP land use category is intended to provide compact medium to high intensity office development. Development which includes medium to high density residential uses is preferred for sites located outside of areas identified as Industrial Sanctuary. Uses permitted within the BP land use category include office; banks; financial institutions; commercial retail sales and service establishments; light manufacturing; major institutions; and warehousing. Churches, schools, and daycares are all secondary uses within both land use categories. The proposed PUD allows a church, day care and school. 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.

(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:

Policy 1.1.8 Require that all new non-residential projects be developed in either nodal areas, in appropriate commercial infill locations, or as part of mixed or multi-use developments such as Planned Unit Developments (PUDs), cluster developments, Traditional Neighborhood Design (TND) developments, and Locally Designated Historic Preservation Districts, as described in this element.

The proposed development is located adjacent to a major interstate highway, adjoins existing commercial development, and is located one block east of McDuff Avenue, a minor arterial roadway with extensive commercial development.

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.

The proposed rezoning utilizes the PUD category in order to control compatibility with adjoining residential property while acting as a transition buffer between existing residential uses and the interstate highway and also between residential uses and nearby industrial and commercial uses.

The project, as conditioned, will be required to meet all applicable federal, state, and local regulations, including restrictions on noise levels and landscape buffer standards.

Policy 1.1.20 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl.

The proposed development promotes a compact and compatible land use pattern by providing infill commercial uses utilizing existing roadway and utility infrastructure.

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.

Redevelopment of the vacant property will provide opportunities for employment and commerce in a neighborhood that is targeted for just such redevelopment.

Staff also finds that development is consistent with the following policies: 1.1.1, 1.1.5, 1.1.6, 1.1.10 and others. Therefore, proposed rezoning to Planned Unit Development, as conditioned, is consistent with the 2030 Comprehensive Plan, and further the goals, objectives and policies contained therein.

(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:

(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) and Business Park (BP). 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

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 church with day care and school. 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. 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: The PUD is requesting relief from specific landscaping requirements due to site constraints. In order to provide a parking area that meets the minimum dimensions and to account for the existing building, the perimeter landscaping needs to be reduced. However the proposed landscaping will provide for tree islands and be sufficient.
- The treatment of pedestrian ways: The site plan shows internal walks between existing and proposed buildings.
- Traffic and pedestrian circulation patterns: The site will have access on Waller Street, Willow Branch and Lenox Avenue to provide a variety of points for ingress and egress.
- The use and variety of building groupings: The site plan shows two buildings, the existing church and the proposed sanctuary.

(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 subject property is surrounded by a variety of uses including single family residential, commercial, and institutional.

- 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 CGC	RLD-60 CCG-1	Single family dwellings HVAC business
South			Interstate 10
East	LDR	RLD-60	Single family dwellings, undeveloped lots
West	LDR CGC	RLD-60 CCG-2	Parking lot Commercial uses

(6) Intensity of Development

The proposed development is consistent with the CGC and BP functional land use categories as a church with day care and school. The PUD is appropriate at this location because the proposed uses will provide a needed service to the immediate area.

- The existing residential density and intensity of use of surrounding lands: single family residential dwellings are found in the eastern area of the property. The church will act as a transition between the residential and the heavily commercialized area along McDuff Avenue.
- The availability and location of utility services and public facilities and services: JEA indicates the area is served by water and sewer.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of 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 did not identify any 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 PUD is requesting relief from the parking standards in Part 6 of the Zoning Code. Church parking is based on 1 space per 35 square feet in the sanctuary or 1 spaces for each 3 seats, whichever is greater. Under the square footage ratio, 75 spaces are required, while the seat

calculation requires 115. The site plan shows 66 spaces and the application is justifying the lower number as there are on street parking spaces.

(11) Sidewalks, trails, and bikeways

The project will require a sidewalk along Lenox Avenue, Waller Street and Willow Branch Avenue.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on January 29, 2020, 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 2020-18 be **APPROVED with the following exhibits:**

1. The original legal description dated
2. The original written description dated December 10, 2019.
3. The original site plan dated August 1, 2019.



Aerial view of subject property.



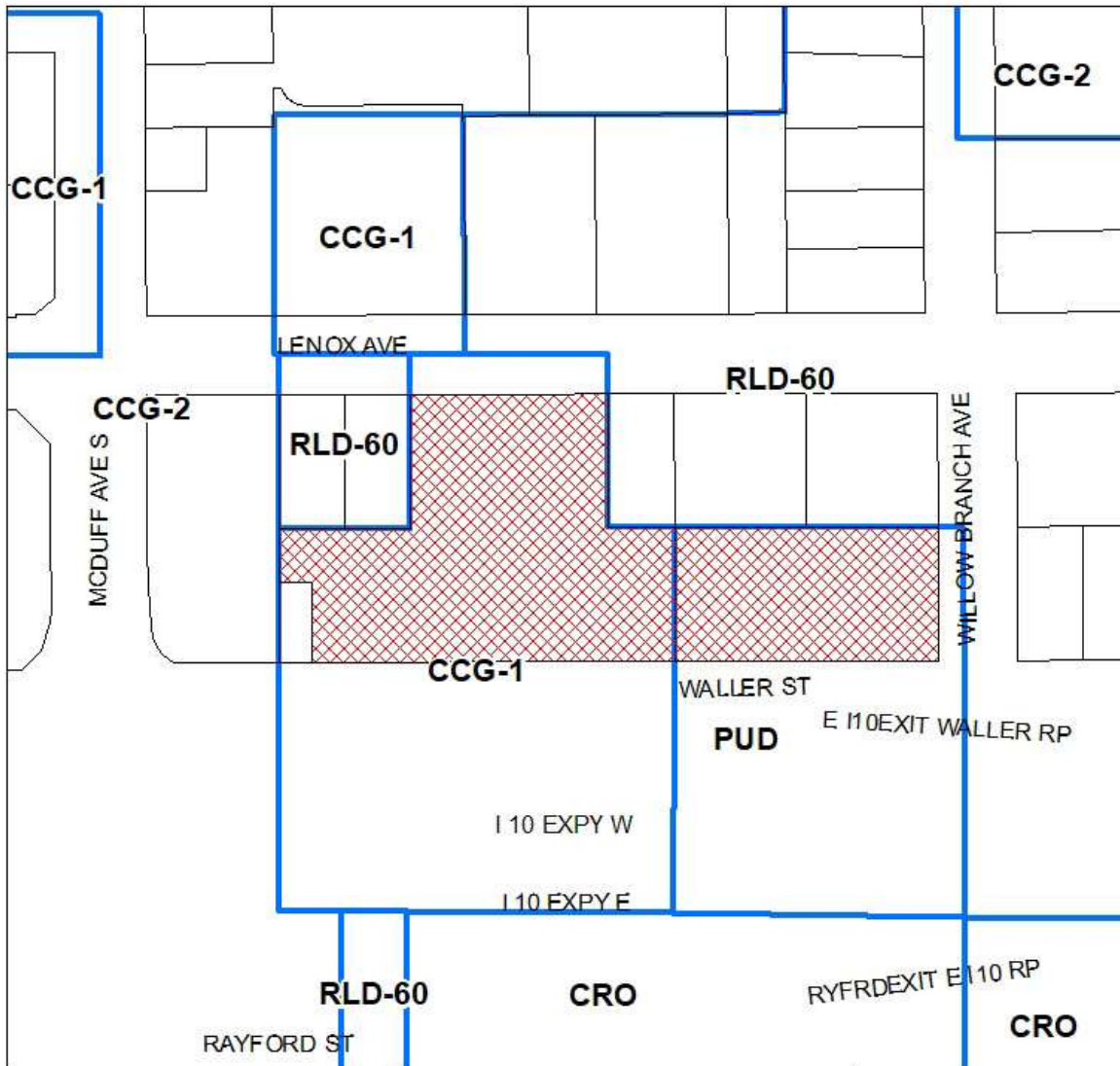
Existing church building

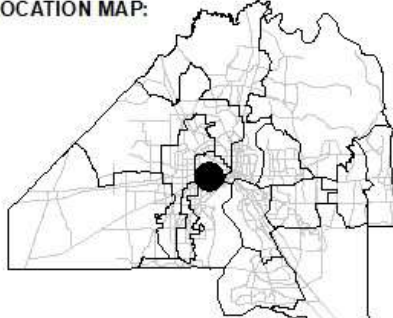
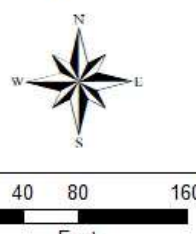


View of subject property.



View of subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1 & PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0018</p>	<p>TRACKING NUMBER</p> <p>T-2019-2628</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>