

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING R-2006-0127 TO PLANNED UNIT DEVELOPMENT**

**Revised AUGUST 10, 2006**

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 **R-2006-0127** to Planned Unit Development.

***Location:*** 500 Bishop Gate Lane  
Fronting on the St. Johns River, between  
Lomax Street and Bishop Gate Lane

***Current Zoning District:*** Commercial Residential Office (CRO)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Residential-Professional-Institutional (RPI)

***Proposed Land Use Category:*** High Density Residential (HDR)

***Planning District:*** Urban Core

***City Council District:*** The Honorable Michael Corrigan, District 14

***Applicant/Agent:*** T.R. Hainline, Jr./ Paige Hobbs Johnston  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

***Owner:*** Robin Shepherd Studios, Inc. & RSPR, Inc.  
476 Riverside Avenue  
Jacksonville, Florida 32207

***Staff Recommendation:*** **APPROVE WITH CONDITIONS**

### **GENERAL INFORMATION**

Application for Planned Unit Development **R-2006-0127** seeks to rezone approximately 1.34± acres of land from CRO to PUD. The rezoning to PUD is being sought so that the property can be developed with an eighty (80) unit upscale condominium development and a day dock on the St. John River for use by the residents and their guests. The maximum allowable height of all structures shall not exceed 199 feet and recreation and open spaces shall be provided at a rate of 150 square feet per dwelling unit.

There is a companion application for a Small Scale Land Use Amendment requesting a functional land use classification change from Residential-Professional-Institutional (RPI) to High Density Residential (HDR). The application reference number is 2005C-047 and the ordinance reference number is 2006-126. The Department has reviewed the proposed Small Scale Land Use Amendment and recommends **approval** of the HDR functional land use classification.

### **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.

***(1) Is the proposed zoning district consistent with the 2010 Comprehensive Plan?***

The Planning and Development Department finds that the subject properties are located in the Residential-Professional-Institutional (RPI) 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 2010 Comprehensive Plan. However, there is a companion application for a Small Scale Land Use Amendment requesting a functional land use classification change from Residential-Professional-Institutional (RPI) to High Density Residential (HDR). The application reference number is 2005C-047 and the ordinance reference number is 2006-126. The HDR functional land use category is primarily a multi-family land use category. HDR functional land use categories are normally located near mass transit corridors and stations. Certain nonresidential uses, such as supporting commercial recreational and public facilities, may be located in appropriate locations in areas surrounding residential uses. The written description proposes up to 80 multi-family dwellings units with full urban services. Additionally, the proposed development is located in close proximity to Riverside Avenue, a minor arterial roadway. The Department has reviewed the proposed Small Scale Land Use Amendment and recommends **approval** of the HDR functional land use classification. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2010 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code.

***(2) Does the proposed rezoning further the goals, objectives and policies of the 2010 Comprehensive Plan?***

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

***(3) 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, 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 2010 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 category as identified in the Future Land Use Map series (FLUMs): RPI. However, a companion Small Scale Land Use Amendment from RPI to HDR has been reviewed and recommended for approval by the Planning and Development Department.

This proposed rezoning to Planned Unit Development is consistent with the 2010 Comprehensive Plan including the following goals, objectives and policies:

*Future land Use Element Policy 1.1.11* States that the City shall ensure that mixed and multi-use projects enhance, rather than detract from, the character of established developed areas by requiring site plan controlled zoning such as Planned Unit Developments (PUDs) for all mixed and multi-use project...

*Future Land Use Element Policy 1.1.10* promotes the use of Planned Unit Developments (PUD's), 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.

*(2) Consistency with the Concurrency Management System*

Pursuant to the provisions of Chapter 655 *Concurrency Management System* of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency Management System Office (CMSO) prior to development approvals. The CMSO has assigned the proposed development City Development Number 7251.1 and CCAS Number 44079.

*(3) Allocation of residential land use*

This proposed Planned Unit Development intends to utilize lands for an 80-unit multi-family residential development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, *Land Use Acreage Allocation Analysis For 2010 Comprehensive Plan's Future Land Use Element*, contained within the Future Land Use Element (FLUE) of the 2010 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: Recreation and open spaces shall be provided at a rate of 150 square feet per dwelling unit. This equates to approximately 12,000 square feet of .28 acres of land. The developer will reserve a 15 foot wide easement to the City of Jacksonville for construction of the Riverwalk for a period of 5 years. **The department recommends that a permanent easement for the construction be provided.**

The particular land uses proposed and the conditions and limitations thereon: The intended plan of development includes a three (3) slip day dock for the use of the residents and their guests. The subject property and proposed day dock is located in Boat Siting Facility Zone 11 which states that new boat ramps, marinas and ports are not acceptable. However, the Florida Fish & Wildlife Commission (FFWC) is in the process of drafting new language that would allow for a slip for one power boat for every 100 feet of shoreline. **Therefore, it is recommended that construction of the three (3) slip day dock is contingent upon approval by the Florida Department of Environmental Protection and the Florida Fish and Wildlife Commission.**

*(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 proposed development is located in an area where residential, office, retail, and commercial, uses are located. A residential development at this location complements the various uses in the surrounding area by increasing the housing options, jobs, office space, and entertainment opportunities for those that are employed in or live in the surrounding area.

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

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	RPI	CRO	Confederate Park
South	RPI	PUD	Park Plaza Condominiums
East	N/A	N/A	St. Johns River
West	RPI	CRO	COJ parkland

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: The written description indicates the architectural style will be reflective of the styles in the Riverside area and will be consistent with the elevations labeled E and E-2 provided in the application. The site is outside the Riverside Avondale St.Johns Historic District.

***(6) Intensity of Development***

The proposed mixed-use development is consistent with uses in the immediate area. The proposed development is consistent with the proposed HDR functional land use category.

The following schools will serve the site:

<u>School</u>	<u>Enrollment</u>	<u>Capacity</u>
W. Riverside Elementary	383	426
Lake Shore Middle	1183	1405
Robert Lee High	1890	1582

Due to the class size amendment, the capacity of Duval County schools is currently under review. The School Board, with the support of the planning and Development Department through the Joint Planning Committee of the Jacksonville City Council and the Duval County School Board, is working on addressing enrollment and capacity issues in several ways, including site acquisition. In addition, the School Board has options to address student enrollment at specific schools including boundary adjustment, changes in special assignments and adjustments to magnet programs.

The location of various proposed uses within the proposed PUD and the degree of compatibility of such uses with each other and with surrounding uses: The locations of the proposed uses within the PUD are compatible with each other and with the surrounding uses. ~~The PUD proposes to not increase the height of the existing building, which is fifty feet (50') in height.~~

The existing residential density and intensity of use of surrounding lands: The existing residential density and intensity of the surrounding uses is consistent with the proposed project.

The access to and suitability of transportation arteries within the proposed Planned Unit Development and existing external transportation systems and arteries: The Department of Public Works, Traffic Engineering Division and the Planning and Development Department, Transportation Planning Division has each reviewed the proposed development and find that it will have minimal impacts on Riverside Avenue.

*(7) Usable open spaces plazas, recreation areas*

Recreation and open spaces shall be provided at a rate of 150 square feet per dwelling unit. This equates to approximately 12,000 square feet of .28 acres of land. The developer will reserve a 15 foot wide easement to the City of Jacksonville for construction of the Riverwalk for a period of 5 years. **The department recommends that a permanent easement for the construction be provided.**

*(8) Impact on wetlands*

No wetlands exist on-site.

*(9) Listed species regulations*

The listed species regulations are not applicable to this development.

*(10) Off-street parking including loading and unloading areas.*

The proposed written description states that two (2) parking spaces shall be provided per dwelling unit. It is recommended that **off-street parking and loading spaces be provided in accordance with Part 6, Off-Street Parking and Loading Regulations, of the Code.** Part 6 of the Code requires that the number of required parking spaces be based upon the square footage and number of bedrooms per dwelling unit. Without information as to the size and number of bedrooms in each proposed dwelling unit, the Department cannot accurately calculate the parking need and thus, cannot sufficiently evaluate the parking requirements proposed in the intended plan of development. Off-street loading requirements, as set forth in Part 6 of the Code, are based upon the total number of dwelling units for multi-family developments. According to Part 6, the development should contain a minimum of two (2) off-street loading spaces.

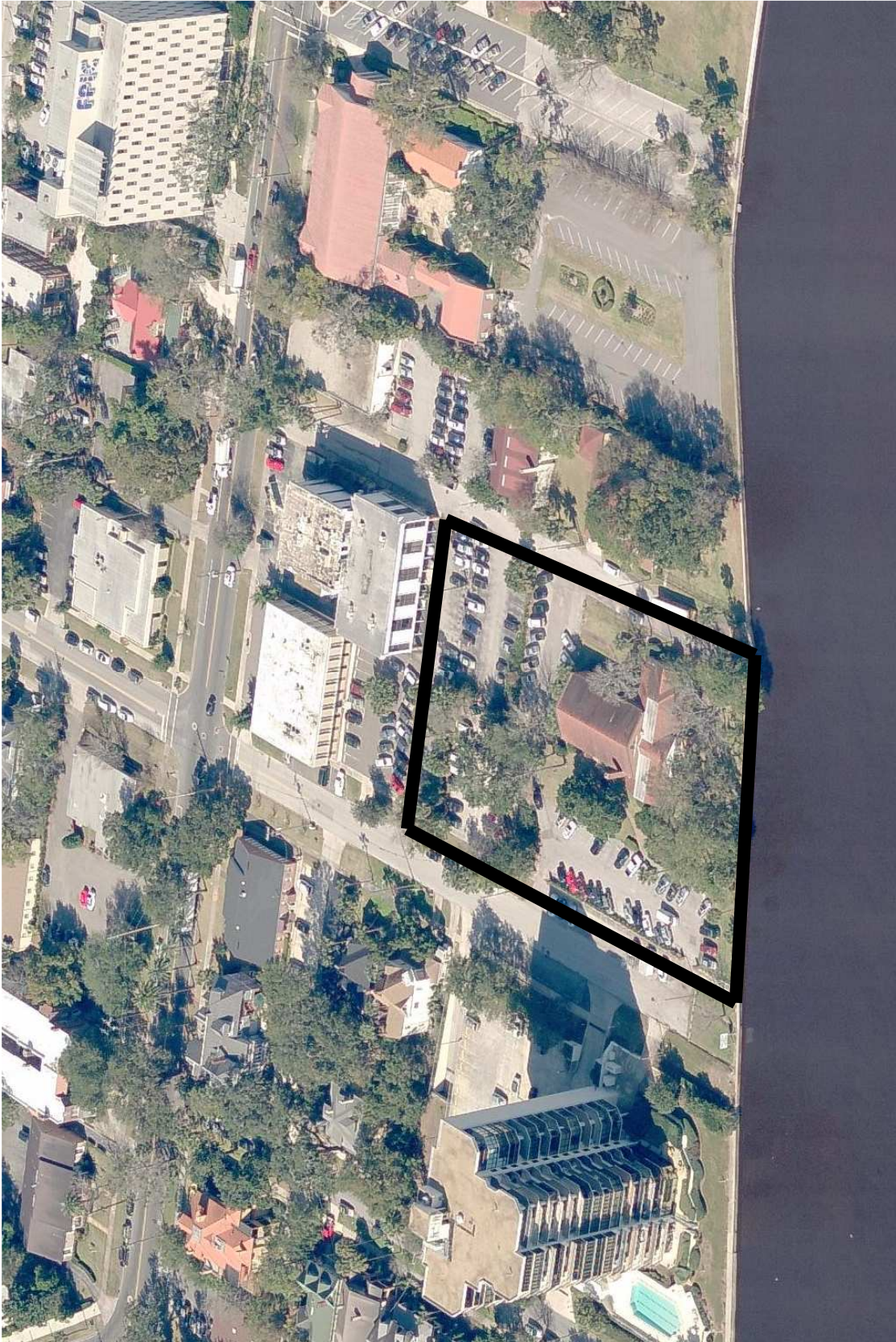
*(11) Sidewalks, trails, and bikeways*

The proposed written description states that external sidewalks will be provided in accordance with the 2010 Comprehensive Plan and the Land Development Procedures Manual.

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on March 6, 2006 the required Notice of Public Hearing signs **were posted.**

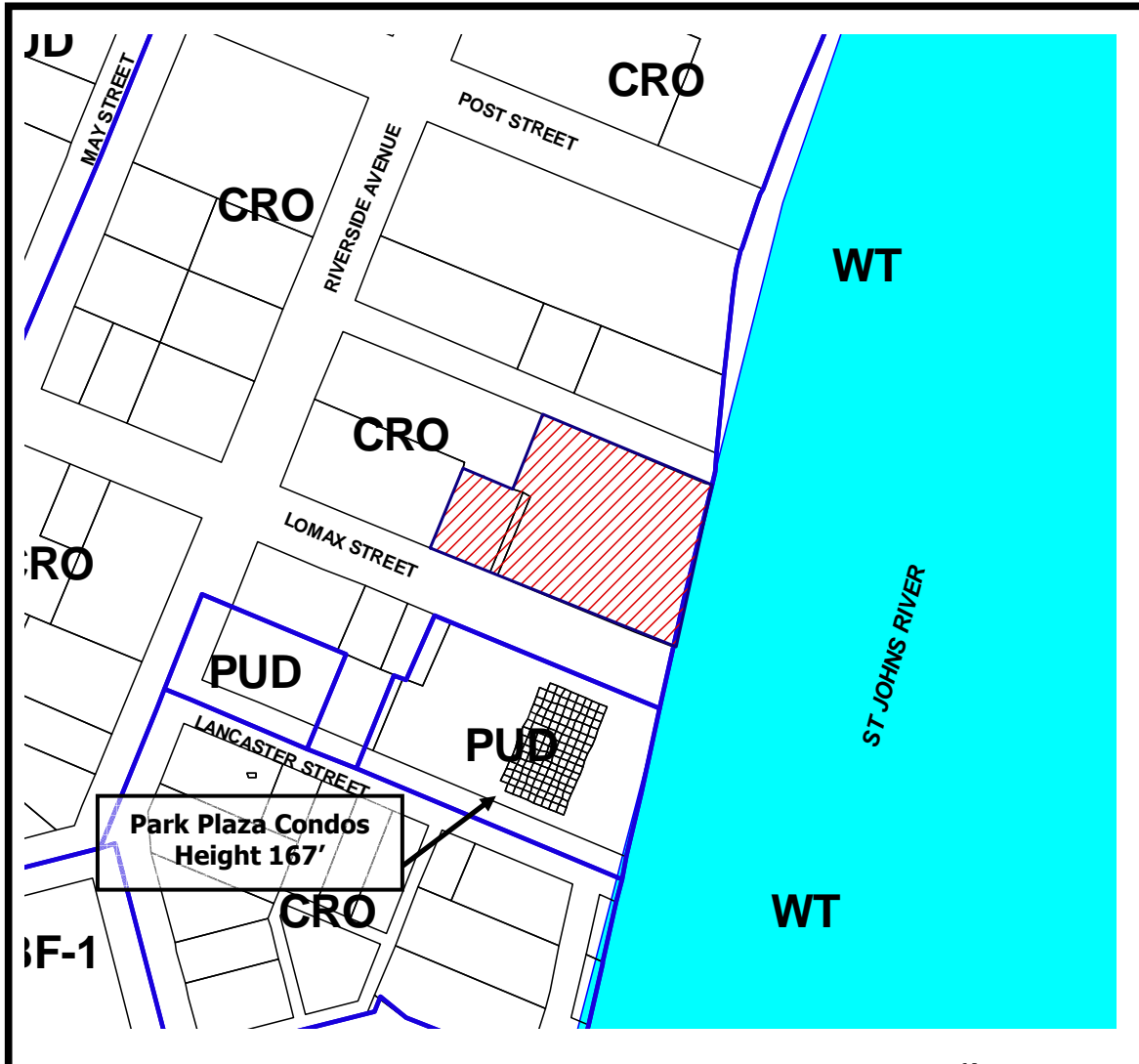




**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **R-2006-0127** be **APPROVED with the following conditions:**

- 1. The development shall be subject to the original legal description, dated September 13, 2005.**
- 2. The development shall be subject to the revised written description dated July 21, 2006.**
- 3. The development shall be subject to the original site plan dated October, 2005.**
- 4. There shall be a permanent fifteen foot easement to the City along the St. Johns River**
- 5. Construction of the three (3) slip day dock is contingent upon approval by the Florida Department of Environmental Protection and the Florida Fish and Wildlife Commission.**
- 6. Off-street parking and loading spaces shall be provided in accordance with Part 6, Off-Street Parking and Loading Regulations, of the Code.**
- 7. Prior to issuance of a certificate of occupancy for the residential units, the developer shall either:**
  - a. Demonstrate that they have provided to the DCSB a cash amount satisfactory to the DCSB that equals the number of units constructed X .33 (an overall assumption for student generation based on multi-family units) X the generation rate for high schools X the cost of land in the area of Lee High School, or**
  - b. Met the requirements of school concurrency, as included in a locally enacted Interlocal Agreement and/or School Facility Element of the Comprehensive Plan, or**
  - c. Provide construction or other in-kind services satisfactory to the DCSB as adding permanent student station and core space capacity to Lee High School, or**
  - d. Demonstrate to the satisfaction of the PDD and the DCSB that the development will not have the impacts assumed in (a) above on Lee High school, because of project phasing, age restrictions or other, similar, means.**



<p>REQUEST SOUGHT:</p> <p>FROM: CRO</p> <p>TO: PUD</p>		<p>W E</p> <p>0 100 Feet</p> <p>COUNCIL DISTRICT: 14</p>
<p>ORDINANCE 2006-0127</p>		<p>FILE COPY</p>