



February 4, 2016

The Honorable Greg Anderson, President
The Honorable Scott Wilson, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report
Ordinance No.: 2015-278 **Application for: Emerson Street PUD**

Dear Honorable Council President Anderson, Honorable Council Member and LUZ Chairperson Wilson and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission ("PC") respectfully offers this report for consideration by the Land Use and Zoning Committee ("LUZ").

● Recommendation by JPDD: Approve Approve with Conditions Deny

● Recommendation by PC to LUZ: Approve Approve with Conditions Deny

● PC Vote: 7-0

● PC Commentary: There was no one to speak in opposition. The agent submitted a revised written description after the staff report was prepared. The revised written description was distributed to the Commissioners before the meeting.

	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Chris Hagan, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Daniel Blanchard, Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Abel Harding, Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marshall Adkison	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ben Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerry Friley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicole Padgett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- This rezoning is subject to the following exhibits:

1. The original legal description dated December 10, 2015.
2. The ~~original~~ revised written description dated ~~January 5~~ February 1, 2016.
3. The original site plan dated December 11, 2015.

- Recommended Planning Commission Conditions* to the Ordinance:

1. The height, location, style and permitting of any outdoor advertisement, off-site sign or billboard will be subject to the requirements of Florida Department of Transportation review and permitting process.

*Additions made by PC to the proposed Jacksonville Planning and Development Department ("JPDD") conditions are underlined and deletions are indicated with a ~~striketrough~~.

- Recommended PC Conditions that can be incorporated into the Written Description: None

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis, City Planner Supervisor
Planning and Development Department

Exhibit D
WRITTEN DESCRIPTION
Emerson Street PUD
February 1, 2016

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. Project Name: Emerson Street PUD
- B. Project Architect/Planner: To be determined
- C. Project Engineer: To be determined
- D. Project Developer: SLG Investment Partnership, LLLP
- E. Current Land Use Designation: LDR
- F. Requested Land Use Designation: CGC
- G. Current Zoning District: RLD-60
- H. Requested Zoning District: PUD
- I. Real Estate Number(s): 125824-0000, 125825-0000

II. SUMMARY DESCRIPTION OF THE PUD

SLG Investment Partnership, LLLP (the “Applicant”) proposes to rezone approximately 0.89 ± acres of property from Residential Low Density-60 (“RLD-60”) to Planned Unit Development (“PUD”). The subject property is located at 0 I-95 Expressway South and is more particularly described in the legal description attached hereto as Exhibit “1” (the “Property”). The surrounding land uses and zoning designations include LDR/RLD-60 to the west (single-family homes), I-95 to the east, BP/PUD to the south (business park) and I-95 to the north.

The Property contains a static billboard (City Sign Number 002044, hereinafter referred to as the “Existing Sign”) on the southeast corner of the Property and is otherwise densely covered by mature trees, shrubs and brush. Applicant seeks to rezone the Property to facilitate the development of off-street parking spaces and a new sign (the “Proposed Sign”), which may replace the Existing Sign. A conceptual site plan depicting the Development is attached hereto as Exhibit “E” (the “Site Plan”).

III. QUANTITATIVE DATA

See the PUD Acreage Table attached hereto as Exhibit “F” for quantitative data regarding the proposed development.

IV. STATEMENTS

- A. See the PUD Comparison Chart attached hereto as Exhibit “2” for details regarding how the Emerson Street PUD differs from the RLD-60 zoning district regulations contained in the Zoning Code.
- B. The continued operation and maintenance of the areas and functions described herein and facilities which are not to be provided, operated or maintained by the City will be the sole responsibility of the owner of the Property.
- C. This PUD is to be developed in a single phase. Construction is estimated to commence during the fall of 2016 and take up to six (6) months to complete.

V. USES AND RESTRICTIONS

A. Permitted Uses and Structures:

- (1) Commercial retail sales and service establishments.
- (2) Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
- (3) Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses.
- (4) Hotels and motels.
- (5) Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters, indoor facilities operated by a licensed pari-mutuel permitholder, adult arcade amusement centers operated by a licensed permitholder, game promotions or sweepstakes utilizing electronic equipment, meeting the performance standards and development criteria set forth in Part 4, drawings by chance conducted in connection with the sale of a consumer product or service utilizing electronic equipment, meeting the performance standards and development criteria set forth in Part 4, and similar uses.
- (6) Art galleries, museums, community centers, dance, art or music studios.
- (7) Vocational, trade or business schools and similar uses.
- (8) Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.
- (9) Off-street commercial parking lots meeting the performance standards and development criteria set forth in Section VI.D below.
- (10) Adult Congregate Living Facility (but not group care homes or residential treatment facilities).
- (11) An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises conjunction with a restaurant.

- (12) Retail plant nurseries including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.
- (13) Express or parcel delivery offices and similar uses (but not freight or truck terminals)
- (14) Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
- (15) Personal property storage establishments meeting the performance development criteria set forth in Part 4.
- (16) Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
- (17) Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- (18) Churches, including a rectory or similar use.
- (19) Outside retail sales of holiday items, subject to the performance standards and development criteria set forth in Part 4.
- (20) Wholesaling or distributorship businesses located within a retail shopping center (but not on an out-parcel or within a stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.
- (21) Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.
- (22) Filling or gas stations meeting the performance standards and development criteria set forth in Part 4.
- (23) Dancing entertainment establishments not serving alcohol. This provision shall not supersede any other approvals or requirements for such use found elsewhere in this Chapter or elsewhere in the Ordinance Code.
- (24) Mobile Car Detailing Services and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4.
- (25) Off-site signs meeting the performance standards and development criteria set forth in Section VI.C below.

B. Permissible Uses by Exception:

- (1) An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both.
- (2) Permanent or restricted outside sale and service, meeting the performance standards and development criteria set forth in Part 4.
- (3) Residential treatment facilities and emergency shelters.
- (4) Multi-family residential integrated with a permitted use.

- (5) Crematories.
- (6) Service garages for minor or major repairs.
- (7) Auto laundry or manual car wash.
- (8) Pawn shops (limited to items permitted in the CCG-1 Zoning District).
- (9) Recycling collection points meeting the performance standards and development criteria set forth in Part 4.
- (10) Retail sales of new or used automobiles.
- (11) Blood donor stations, plasma centers and similar uses.
- (12) Private clubs.
- (13) Restaurants with the outside sale and service of food meeting the performance standards and development criteria set forth in Part 4.
- (14) Billiard parlors.
- (15) Service and repair of general appliances and small engines.
- (16) Schools meeting the performance standards and development criteria set forth in Part 4.

C. Limitations on Permitted or Permissible Uses by Exception. Sale, service and display, preparation and storage shall be conducted within a completely enclosed building, unless otherwise provided for, and no more than 30 percent of the floor space shall be devoted to storage.

D. Permitted Accessory Uses and Structures. Permitted uses and structures shall comply with Section 656.403 of the Code.

VI. DESIGN GUIDELINES

A. Lot Requirements:

- (1) *Minimum lot area*: None.
- (2) *Minimum lot width*: None.
- (3) *Maximum lot coverage*: None.
- (4) *Minimum yard facing I-95*: None.
- (5) *Minimum yard facing adjacent commercial parcel* (RE # 126071-0120): None.
- (6) *Minimum yard facing adjacent residential parcels* (RE #s 125846-0000, 125845-0000 and 125844-0000): 40 feet. No improvements shall be permitted in the required yard.
- (7) Notwithstanding anything contained in Section VI.A.6 to the contrary, so long as the Property contains the Existing Sign or the Proposed Sign, the existing buffer consisting of trees, shrubs and brush and labeled as the "Preserve Area" on the Site Plan shall be maintained between the Property and the adjacent residential property to the west, substantially as shown on the Site Plan.
- (8) *Maximum height of structures*: 60 feet.

B. Ingress, Egress and Circulation:

- (1) *Parking Requirements.* The parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code.
- (2) *Vehicular Access.* Vehicular access to the Property shall be by way of a driveway connecting the Property to the adjacent property to the south (RE # 126071-0120), substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the Development Services Division.
- (3) *Pedestrian Access.* Pedestrian access shall be provided in accordance with the 2030 Comprehensive Plan.

C. Signs:

- (1) One (1) double-sided static sign shall be permitted.
- (2) The Existing Sign may be replaced with the Proposed Sign, which may contain one (1) Light-Emitting Changeable Message Device (“LECMD”) on the south-facing sign face and one (1) static sign on the north-facing sign face.

D. Off-Street Parking:

- (1) The hours of use shall be limited to the hours of 7:00 a.m. to 11:00 p.m.
- (2) There shall be no storage, sales or service activity of any kind on these lots.
- (3) These parking lots shall be designed to meet the requirements of Part 12 of the Zoning Code (Landscape and Tree Protection Regulations).

E. Landscaping. The Property shall be developed in accordance with Part 12 of the Zoning Code.

F. Recreation and Open Space. Not applicable.

G. Utilities:

- (1) Water will be provided by JEA.
- (2) Sanitary Sewer will be provided by JEA.
- (3) Electric will be provided by JEA.

H. Wetlands. Wetlands will be permitted according to local, state, and federal requirements.

VII. **DEVELOPMENT PLAN APPROVAL.** With each request for verification of substantial compliance with this PUD, a preliminary development plan shall be submitted to the City of Jacksonville Planning and Development Department identifying all then existing and proposed uses within the Property, and showing the general layout of the overall Property.

VIII. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

- A. **Consistency with 2030 Comprehensive Plan.** The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan (the “Comprehensive Plan”) and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community. The Property fronts on I-95 but has a current land use designation of LDR. As a result, a companion land use application has been submitted to change the current land use designation of the Property to CGC, which land use designation permits development of the above-listed uses. The Property is consistent with the Comprehensive Plan; specifically, the proposed development promotes the following goals and policies of the Comprehensive Plan: Goal 1, Objective 1.1, Policy 1.1.1, Objective 1.2, Policy 1.2.1, Policy 1.2.2, Objective 1.4, Objective 1.5 and Policy 1.5.1.
- B. **Efficiency over Strict Application of the Zoning Code.** The Emerson Street PUD will be more efficient than the strict application of the Zoning Code because it will accommodate the commercial development proposed in the Emerson Street PUD. It will allow the Applicant to meet market demand by providing appropriate development for the Property and take advantage of the Property’s frontage on I-95.
- C. **External Compatibility/Intensity of Development.** The proposed development is compatible with surrounding land uses and will improve the characteristics of the surrounding area. Significantly, the buffer required to be maintained pursuant to the terms of this PUD will improve the characteristics of the adjacent neighborhood. Additionally, the proposed off-street parking will enhance the adjacent commercial uses.
- D. **Compliance with Second Amended and Restated Settlement Agreement.** The proposed development complies with the provisions, including the Property-specific provisions, contained in that certain Second Amendment and Restated Settlement Agreement (the “Settlement Agreement”) between the City of Jacksonville, Scenic Jacksonville, Inc., and CBS Outdoor, LLC N/K/A Outfront Media, LLC. See the Proposed Billboard Spacing Exhibit attached hereto as Exhibit “I” for confirmation that the proposed development meets the requirements contained in Section I.P.3 of the Settlement Agreement.