

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2015-486 TO

PLANNED UNIT DEVELOPMENT

AUGUST 20, 2015

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 **2015-486** to Planned Unit Development.

Location: 5630 Summerall Road between I-95 and Cagle Road

Real Estate Number(s): 153152-0000 and 153153-0000

Current Zoning District: Commercial Community General-1 (CCG-1)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Southeast, 3

Planning Commissioner: Daniel Blanchard

City Council District: The Honorable Lori Boyer, District 5

Applicant/Agent: Greg Kupperman
Green & Kupperman, Inc.
200 First Street, Suite B
Neptune Beach, Florida 32266

Owner: Ronnie Edge
6729 Pottsburg Creek Trail
Jacksonville, Florida 32216

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2015-486** seeks to rezone approximately 0.92 acres of land from CCG-1 to PUD. The rezoning to PUD is being sought so that the property can be developed for the outside storage of vehicles, boats and recreational vehicles. This primary use is typically a permissible use by exception in the CCG-2 Zoning District. The PUD also allows permitted uses in the CCG-1 Zoning District and a few uses which are permissible uses by exception in the CCG-1 Zoning District.

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 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. Community General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. 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.

Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor. In addition, all development on sites which abut a Low Density Residential and/or Rural Residential land use designation shall provide the following: A scale transition as defined and illustrated in this element. When developing mixed uses, residential uses shall be arranged on the site to provide a use transition between new non-residential uses and the protected abutting residential land uses to the greatest extent feasible. Elements such as yards, open space, at-grade parking and perimeter walls shall be arranged, designed and landscaped in a manner compatible with adjacent areas to serve as a visual buffering element.

CGC in the Urban Priority Area 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. A combination of compatible mixed uses should be vertically integrated within a multistory building. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services and which abut a roadway classified as an arterial or higher on the Functional Highway Classification Map.

The uses provided herein shall be applicable to all CGC sites within the Urban Priority Area.

Principal Uses: Commercial retail sales and service establishments including auto sales; Restaurants; Hotel and motel; Office, Business and Professional Office including veterinary office; Financial institutions; Multi-family dwellings; Live/Work Units; Commercial recreational and entertainment facilities; Off street parking lots and garages; Filling stations; and Uses associated with and developed as an integral component of TOD. Residential uses shall not be the sole use and shall not exceed 80 percent of a development. Existing dwellings which were legally built as single or multifamily dwellings prior to adoption of the 2030 Comprehensive Plan are allowed within this category.

Secondary Uses: Secondary uses shall be permitted pursuant to the Commercial land use introduction. In addition, the following secondary uses may also be permitted: Group care facilities; Criminal justice facilities; Dude ranches; Riding academies; Private camps; Camping grounds; Shooting ranges; Fishing and hunting camps; Fairgrounds; Race tracks; Stadiums and arenas; Transit stations; Transportation terminals and facilities (but not freight or truck terminals); Personal property storage establishments; Crematoria; Blood donation and plasma centers; Building trade contractors; Rescue missions; and Day labor pools.

Accessory Uses: Warehousing, light manufacturing and fabricating may be permitted provided it is part of a commercial retail sales or service establishment, and the accessory use shall be located on a road classified as collector or higher on the Functional Highway Classification Map.

(2) Does the proposed rezoning further the goals, objectives and policies of the 2030 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, 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 category as identified in the Future Land Use Map series (FLUMs): Community General Commercial (CGC). 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:

F.L.U.E. Policies 1.1.1 The City shall ensure that all new development and redevelopment after the effective date of the 2030 Comprehensive Plan is consistent with the Future Land Use Map series, and textual provisions of this and other elements of the 2030 Comprehensive Plan, as provided in Chapter 163 (Part II), Florida Statutes (F.S.).

F.L.U.E. Policy 1.1.8 Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies

F.L.U.E. Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

F.L.U.E. 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.

(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 a commercial development. 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 with specific reference to the following:

The streetscape: Summerall Road is a dead end road which contains various commercial uses. The street scape of the PUD will be consistent with the other uses on the road.

The use and variety of building setback lines, separations, and buffering: The PUD is proposing setbacks which are similar to the CCG-1 Zoning District except the rear setback. Typically the rear setback is 10 feet; however the PUD is proposing a 5 foot setback.

The particular land uses proposed and the conditions and limitations thereon: The PUD is proposing uses which are either permitted or permissible uses by exception in the CCG-1 Zoning District with the exception of the primary use of vehicle, boat and RV storage. This use is a permissible use by exception on the CCG-2 Zoning District. It is the opinion of the staff this use is compatible with the surrounding properties. It will not create any objectionable noise, vibration, glare or activities that will impact the surrounding area.

(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 on a road with various commercial uses and function as a commercial park. Outside storage of vehicles, boats and RVs at this location complements the existing various commercial uses.

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	CGC	CCG-1	Motel
South	CGC	CCG-1	Plumbing company
East	CGC	CCG-1	Interstate 95
West	CGC	CCG-1	Motel

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 PUD is proposing service garages for minor repairs as a permitted use, but typically requires a zoning exception. This use can create objectionable noise and vibrations. **The staff recommends the use shall be allowed with the granting of a Zoning Exception by the Planning Commission.**

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category as a commercial development. The PUD is appropriate at this location because it is compatible with the other commercial uses on Summerall Road.

The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD: The PUD as conditioned will provide for protection to the surrounding uses.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: Summerall Road is a dead end road but has access to I-95 south at the intersection of Bowden Road. Access to I-95 north is achieved via Cagle Road or Richard Street which are designated as accessways to I-95.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. A recreation area is not required.

(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. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(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 site will be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on August 12, 2015, 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 **2015-486** be **APPROVED with the following exhibits:**

1. **The original legal description dated March 4, 2015.**
2. **The original written description dated March 10, 2015.**
3. **The original site plan dated March 9, 2015.**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2015-486** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. **The owner shall install and maintain an eight (8) foot high, 85% opaque wood or vinyl fence along the north and west property lines.**
2. **All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one (1.0) f.c. when abutting non-residential properties. All lighting lamp sources within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. The maximum light pole height in all parking areas should not exceed twenty feet (20'- 0"). An exterior lighting design plan, including a photometrics plan, pole and fixtures schedules shall be submitted at the time of Verification of Substantial Compliance for review and approval by the Planning and Development Department.**
3. **Any use other than vehicle, boat or recreational vehicle storage which is listed in the written description shall require a minor modification to approve the site plan.**
4. **Service garages for minor repairs shall be allowed with the granting of a Zoning Exception by the Planning Commission.**



Aerial view of site looking north.



Southern Parcel on Summerall Road



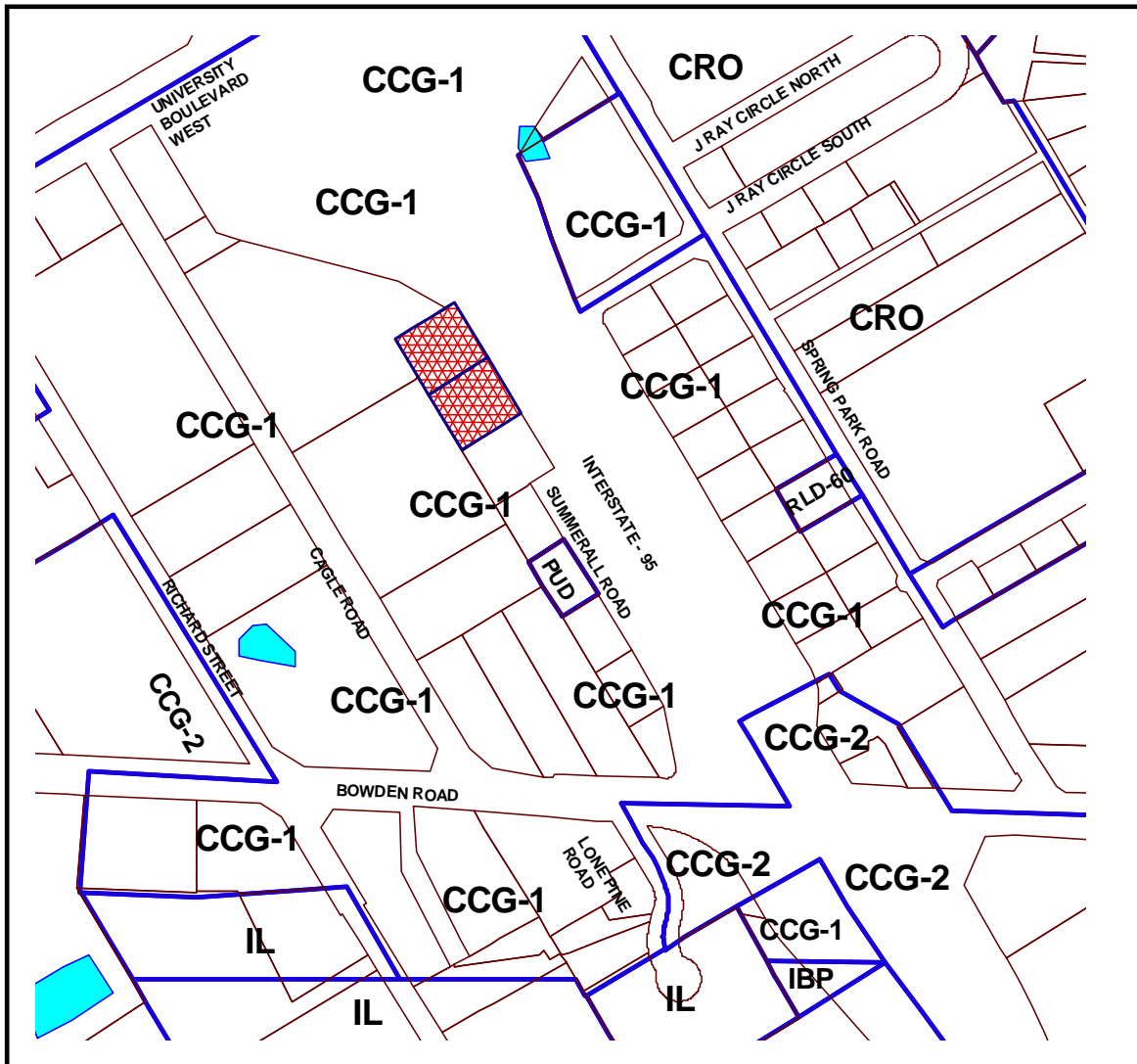
Southern Parcel on Summerall Road



Northern Parcel on Summerall Road



Adjacent business.



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1</p> <p>TO: PUD</p>		<p>COUNCIL DISTRICT: 5</p>
<p>ORDINANCE NUMBER: ORD-2015-0486</p>	<p>TRACKING NUMBER: T-2015-0799</p>	<p>Exhibit 2</p>