

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2015-0666

TO PLANNED UNIT DEVELOPMENT

OCTOBER 22, 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 **2015-666** to Planned Unit Development.

Location: 11839 San Jose Boulevard
South of Loretto Road between Old Acosta Road and
directly across from Hidden Stage Coach Road

Real Estate Number: 158894 0010

Current Zoning District: Commercial Neighborhood (CN)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Southeast, District 3

Planning Commissioner: Daniel Blanchard

City Council District: The Honorable Matt Schellenberg, District 6

Applicant/Agent: Robert White, P.E.
Taylor and White
9556 Historic Kings Road South, Suite 102
Jacksonville, Florida 32257

Owner: Allyn Simmons
Acosta Shoppes, LLC.
14495 Roosevelt Boulevard, Suite 110
Jacksonville, Florida 32210

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2015-666** seeks to rezone approximately 1.3± acres of land from CN to PUD. The rezoning to PUD is being sought for the purpose of developing an automobile oil change and minor repair facility containing a maximum 6,000 square feet, of which 1,300 square feet will be below grade changing pits, and a small sit down restaurant. The subject site is currently developed with a vacant single-family home, and shares a full access driveway with the parcel directly to the south, which is developed with a retail store and drive-thru Dunkin Donuts. Permissible uses by exception include off-street parking lots, filling and gas stations, restricted outside sales and service in conjunction with a restaurant, drive thru facilities, day care centers, and automated car washes. Cormorant Branch Creek is located in the rear of the property, along the eastern property line. Applicant proposes a conservation easement along this portion of the property to protect the waterway, and no impacts are anticipated in associated with this development.

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. CGC in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is preferred to provide support for commercial and other uses. 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.

(2) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. 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?

No. The written description and the site plan of the intended plan of development meet all portions of the City's land use regulations and further their intent by providing specific development standards.

Furthermore, 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 as follows:

(1) Consistency with the 2030 Comprehensive Plan

Yes. 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).

This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan including the following goals, objectives and policies:

FLUE Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

FLUE Policy 1.1.9 Permit commercial infill on commercially designated sites outside nodal areas where the infill development would: 1. Create a more compact land use pattern than development of new commercial nodes in the same area. 2. Incorporate shared access with adjacent commercial sites, and/or direct access to a frontage or parallel road facility rather than a collector or arterial street; or 3. Support the commercial integrity of an historic district.

FLUE Policy 1.1.10 Promote the use of Planned Unit Developments (PUDs), cluster development, 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.

Therefore, proposed rezoning to Planned Unit Development, as conditioned, is consistent with the 2030 Comprehensive Plan, and further the following goals, objectives and policies contained therein.

(2) Consistency with the Concurrency and Mobility 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 Management System Office (CMSO) prior to development approvals.

(3) Allocation of residential land use

This proposed Planned Unit Development does not intend to utilize lands for residential use.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors with specific reference to the following:

The streetscape:

The submitted site plan dated August 25, 2015 shows three buildings onsite; one future sit-down restaurant closest to the north property line facing the street, and two structures dedicated to the Express Oil use. The dumpster enclosure as well as the building with the repair and maintenance bays will be located behind the drive-thru oil change and away from the street frontage. There will be a total of seven maintenance bays, 3 for drive through oil service, and 4 for minor repair.

The use of existing and proposed landscaping:

Though the project will be required to meet the minimal standards set forth in Section 656, Part 12, the applicant requests some relief from the placement of certain VUA landscape buffer so that vehicle maneuverability on site can be achieved. Due to the nature of the business, sufficient pull in and pull out as well as staging area is required free of landscape intrusion that would normally be found on standard retail or commercial service use.

The treatment of pedestrian ways:

The project will be required to meet ADA minimum accessibility requirements and will connect to the existing sidewalk network along San Jose Boulevard.

The use of topography, physical environment and other natural features:

The Cormorant Brach Creek meanders along the eastern property line from north to south. The applicant proposes to record a conservation easement of an unspecified distance and width along the watershed. **Staff recommends the conservation easement be at least 35 feet in width at any point from the eastern property line.**

Traffic circulation patterns:

The property will be accessed through one shared access San Jose Boulevard. A review of the project by the Development Services Division produced the following comments in their memorandum dated October 12, 2015:

1. **San Jose Blvd is FDOT maintained and subject to FDOT permit review.**
2. **Signs, fences, walls and landscaping shall be located so that horizontal line of sight is unobstructed at driveways.**

A review of the project by the Transportation Planning Division produced the following comments in their memorandum dated October 5, 2015:

San Jose Boulevard (SR 13), from St. Johns County Line to Loretto Road, is the directly accessed functionally classified roadway. San Jose Boulevard is a 6-lane divided class I arterial I in this vicinity and is currently operating at an acceptable LOS C. San Jose Boulevard segments have a maximum daily service volume of 59,900 vpd and a 2014 daily traffic volume of 41,500. This road segment currently has sufficient capacity to accommodate the traffic generated by this development. Access to this site via San Jose Boulevard must be subject to FDOT access management requirements.

This proposal is for 7 bays of ITE 941 Quick Lubrication Vehicle Stop which would generate a total of 280 vpd and does not exceed the amount of allowable trip generation for this property.

The use and variety of building setback lines, separations, and buffering:

Applicant proposes minimum front, side, and rear yard setbacks similar to Commercial Neighborhood (CN) zoning, with additional restrictions. The side yard setback is increased from 0 feet to 5 feet, and the maximum building height is limited to 35 feet for the proposed Oil Express. The maximum height for all other uses is consistent with the CN Zoning District.

Signage:

Applicant proposes two monument style signs, one for the Oil Express, and one for the future proposed restaurant/CN use. Two signs no greater than 75 square feet in area and 9 feet in height, internally or externally illuminated will be permitted. This is generally more restrictive than what would conventionally be allowed.

(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 along a portion of San Jose Boulevard with existing multi-family, commercial retail,

automobile service, restaurant, and institutional uses. The subject property and immediately adjacent property to the south are the only two parcels zoned CN in the immediate vicinity, as surrounding commercial zoning districts include PUD and CCG-1. There are similar automobile service uses up and down the San Jose Boulevard Corridor. East and to the rear of the property is a large tract of undeveloped RR-ACRE zoned property, and a single-family subdivision zoned PUD, 1992-1025-E, which are comprised of a mix of 60 and 90 feet wide lots. 3104 and 3110 Swooping Willow Court West abuts the property, but both of these lots are several hundred feet in depth and the shared property line abuts Cormorant Branch Creek. The conservation easement as proposed by the applicant will be located in this area.

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(s)
North	CGC	PUD (1993-2012-E)	Funeral home
East	LDR	RR-ACRE/PUD (1992-1025-E)	Undeveloped/Single-family
South	CGC	CN	Retail
West	CGC	CCG-1	Medical office

(6) Intensity of Development

The PUD is appropriate at this location with specific reference to the following:

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 front portion of the property fronting San Jose Boulevard will be developed whereas the rear, or easternmost portion, will be set aside in a conservation easement, and where any required stormwater retention facilities will be located.

The availability and location of utility services and public facilities and services:

The site is served by city sewer and water.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:

San Jose Boulevard is an FDOT maintained roadway and is classified as a class I Arterial. There is no bus stop in front of the existing property or adjacent property. The PUD will share access with the CN zoned property to the south where a stub out for cross access connection is already present.

(7) Usable open spaces plazas, recreation areas.

There is no residential component to the development. No recreation area is required.

(8) Impact on wetlands

Surveying of a 2004 Geographical Information Systems shape file identified some wetlands on-site. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements. A conservation easement is being created along the eastern property boundary to ensure protection of 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 site is required to be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The project will contain an internal and external pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on October 1, 2015, the required Notice of Public Hearing sign was posted.



*Source: Staff, Planning and Development Department
Date: October 1, 2015*

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2015-666** be **APPROVED** with the following exhibits:

1. The original legal description dated July 24, 2015.
2. The original written description dated September 15, 2015.
3. The original site plan dated August 25, 2015.
4. The Development Services Division Memorandum dated October 12, 2015 or as otherwise approved by the Planning and Development Department.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2015-666** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

1. The conservation easement shall be a minimum of 35 feet in width as measured from any point from the east property line.



Subject site is currently developed with a vacant single-family home and access stub-out.

*Source: Staff, Planning and Development Department
Date: October 1, 2015*



Shared access along San Jose Boulevard.

*Source: Staff, Planning and Development Department
Date: October 1, 2015*



Swale along Cormorant Branch Creek, eastern property boundary.

*Source: Staff, Planning and Development Department
Date: October 1, 2015*



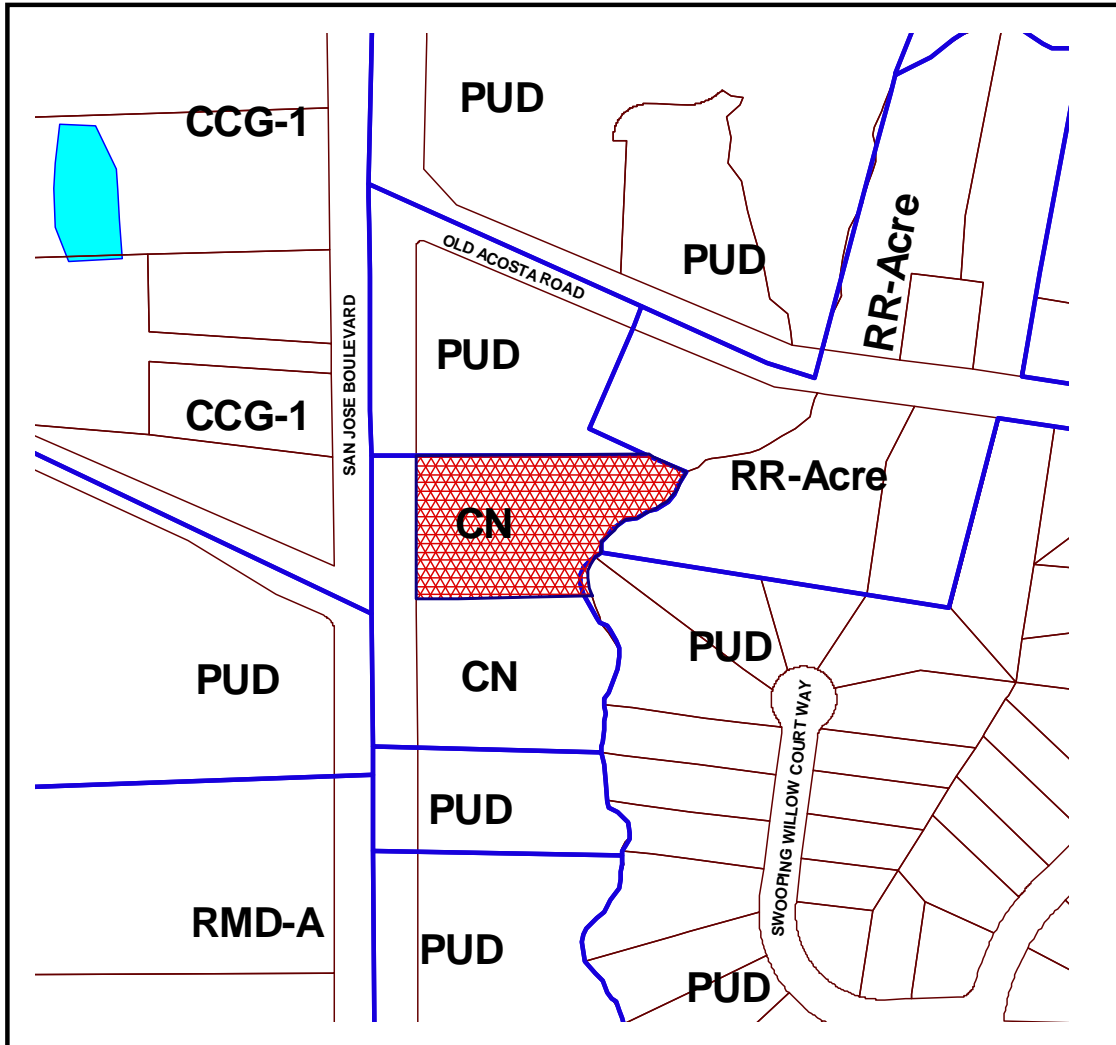
Drive-thru Dunkin Donuts and retail store south of the subject property.

*Source: Staff, Planning and Development Department
Date: October 1, 2015*



Funeral home located north of the property.

*Source: Staff, Planning and Development Department
Date: October 1, 2015*



<p>REQUEST SOUGHT:</p> <p>FROM: CN</p> <p>TO: PUD</p>		<p>0 100 Feet</p> <p>COUNCIL DISTRICT: 6</p>
<p>ORDINANCE NUMBER: ORD-2015-0666</p>	<p>TRACKING NUMBER: T-2015-0904</p>	<p>Exhibit 2</p>