

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

**APPLICATION FOR REZONING ORDINANCE 2016-110 TO**

**PLANNED UNIT DEVELOPMENT**

**MARCH 3, 2016**

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 **2016-110** to Planned Unit Development.

*Location:* 9545 San Jose Boulevard between Sunbeam Road  
and Old Sunbeam Road

*Real Estate Number(s):* 148945-0050

*Current Zoning District:* Planned Unit Development (PUD 1992-17)

*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 Lori N. Boyer, District 5

*Applicant/Agent:* Paul Harden, Esq.  
501 Riverside Avenue, Suite 901  
Jacksonville, Florida 32202

*Owner:* Douglas Solomon  
Solomon Properties, Inc.  
14255 Beach Boulevard  
Jacksonville, Florida 32250

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

### **GENERAL INFORMATION**

Application for Planned Unit Development **2016-110** seeks to rezone approximately 5.2 acres of land from PUD to PUD. The rezoning to PUD is being sought to modify the site plan showing the proposed filling station and car wash, restricting uses typically found in the CCG-1 Zoning District, clarifying the sign regulations for each user, clarifying the parking requirements for each user and relaxation of specific provisions of the landscape regulations. The current PUD allows uses in the CCG-1 Zoning District including outside display of retail merchandise.

The current PUD allows permitted and permissible uses by exception in the CCG-1 Zoning District and includes the outside display of retail merchandise. The site was a Scotty's Home Improvement Center.

### **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. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein. 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.

The Suburban Area is intended to provide development in a nodal development pattern. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which located in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall be considered preferred locations for these uses.

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

**Principal Uses:** Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; Offices, Business and Professional Offices including veterinary offices; Financial institutions; Commercial recreational and entertainment facilities; Auto repair and sales, Off street parking lots and garages and Filling stations.

**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; 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 and Day labor pools.

*(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?*

No. The written description and the site plan of the intended plan of development requests more square feet in signage than is currently allowed, reducing the minimum distance between signs and requests to reduce the minimum landscaping.

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:

**FLUE Policy 1.1.11** Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.

**FLUE 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.

**FLUE Policy 1.3.4** New development sites shall be required, wherever possible to share existing access points. The City will encourage new service drives or roads and connections to existing service drives or roads when deemed appropriate by the Traffic Engineering Division and JPDD. This policy is not to conflict with and will not exempt a developer from complying with landscape and tree protection regulations.

**FLUE 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.

**FLUE Policy 3.2.5** The City shall incorporate the City of Jacksonville Design Guidelines and Best Practices Handbook into the Land Development Regulations.

*(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 use of existing and proposed landscaping: The site was developed in approximately 1984 and most the required landscaping is in place. The written description states the site will comply with the Part 12 Landscaping where abutting San Jose Boulevard but compliance will be waived for the existing lots. A review of the aerial photograph and the site plan indicate a significant section of green space in the parking lot will be removed for the needed parking spaces. **Staff recommends new construction complies with the required landscaping of Part 12, Zoning Code.**

Traffic and pedestrian circulation patterns: The site plan shows adequate maneuvering for vehicular truck and pedestrian traffic.

The use and variety of building sizes and architectural styles: The written description does not provide any specific architectural style for the proposed building.

The separation and buffering of vehicular use areas and sections of vehicular use areas: The site plan shows the use of terminal islands to guide vehicular traffic.

*(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 San Jose Boulevard, which is a commercial corridor. A filling station/convenience store at this location is appropriate.

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	MDR	RMD-D	Woodlake Park apartments
	CGC	CCG-1	CVS, Auto parts store
South	CGC	CCG-2	Auto parts store
	MDR	RMD-D	Sunbeam apartments
East	RPI	CRO	Sunbeam Professional Center
West	CGC	CCG-1/CCG-2	Gate filling station, Bank

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 and sign plan are requesting more signage area than is currently permitted. The Zoning Code sets a maximum of 1 square foot in area for each linear foot of street frontage up to a maximum of 300 square feet per sign.

Sunbeam Road            Existing 147 linear feet = 147 square feet  
                                 Proposed sign is 225 square feet  
                                 **78 sq. ft. over**

San Jose Road            Existing 289 linear feet = 289 square feet  
Existing signs to be combined in one sign = 295 square feet  
Proposed sign = 225 square feet.  
**231 sq. ft. over**

**Staff recommends one sign on Sunbeam Road not to exceed 147 square feet in area and 30 feet in height and one sign on San Jose Boulevard not to exceed 289 square feet in area and 30 feet in height.**

*(6) Intensity of Development*

The proposed development is consistent with the CGC functional land use category and is a commercial development. The PUD is appropriate at this location because it will support the existing offices, service establishments and residential dwellings in the area.

The existing residential density and intensity of use of surrounding lands: There are multi-family developments to the southeast and north of the subject property, but they are not in direct line of site from the proposed filling station/convenience store.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: San Jose Boulevard is classified as a principal arterial and Sunbeam Road is classified as a collector roadway. The Transportation Planning Division indicates there is sufficient capacity on both roads to support the development.

*(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 written description indicates the site will have a minimum of 163 parking spaces. This is the minimum (3 spaces/1000 square feet) number of parking spaces the Zoning Code allows. The existing building is 48,600 square feet and the proposed building is 5,700 square feet.

*(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 February 22, 2016, the required Notice of Public Hearing signs were posted.



**RECOMMENDATION**

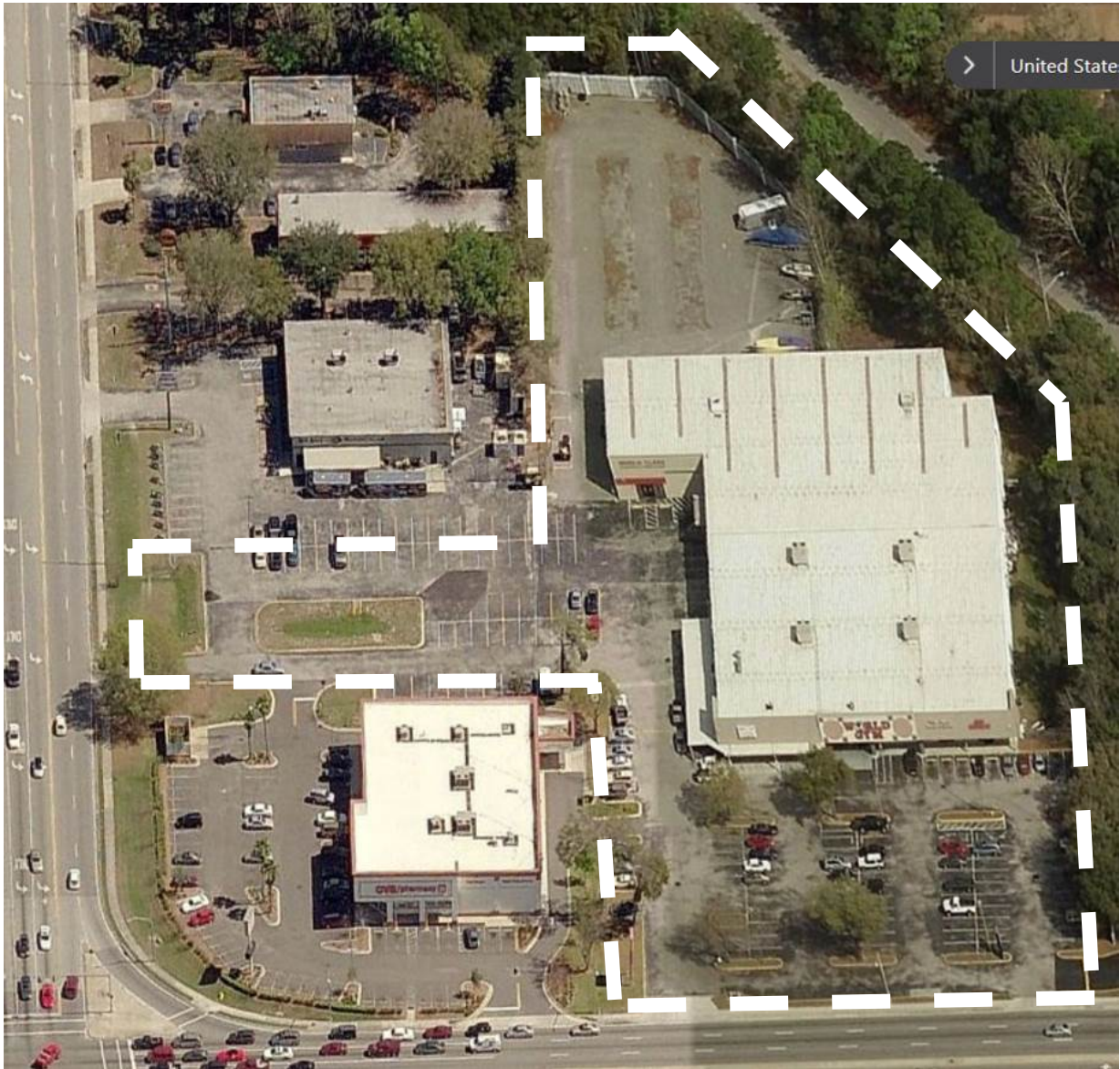
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2016-110** be **APPROVED with the following exhibits:**

1. The original legal description dated December 11, 2015.
2. The original written description dated January 26, 2016.
3. The original site plan dated December 11, 2015.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated February 9, 2016 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 **2016-110** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. There shall be one sign on Sunbeam Road not to exceed 147 square feet in area and 30 feet in height and one sign on San Jose Boulevard not to exceed 289 square feet in area and 30 feet in height.
2. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles ("f.c.") when the building or parking areas are located adjacent to residential areas, and shall not exceed one (1.0) f.c. when abutting other 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 thirty feet (30'- 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. The developer shall mount light fixtures on canopies so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy.
4. New construction shall comply with Chapter 656, Part 12 Landscape and Tree Protection Regulations, Zoning Code.





Aerial view of property. San Jose Blvd is at the bottom of the photograph.



Existing building facing San Jose Blvd. The proposed convenience store will be located 6 feet in front of the building.





These two existing signs will be combined into one 295 square foot sign. An additional 225 square foot sign for the filling station will be located next to it.



Existing sign.

