

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING 2016-0606 TO PLANNED UNIT DEVELOPMENT

OCTOBER 6, 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 **2016-0606** to Planned Unit Development.

Location: 10622 103rd Street; on the south side of 103rd Street between Piper Glen Boulevard/Samaritan Way and Chaffee Road/Cecil Commerce Center Parkway

Real Estate Numbers: 015395-0000

Current Zoning District: Planned Unit Development (PUD) Ord. 2012-0136

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Commercial General Community (CGC)

Planning District: Southwest, District 4

Planning Commissioner: Chris Hagan

City Council Representative: The Honorable Doyle Carter, District 12

Applicant/Agent: Curtis Hart
8051 Tara Lane
Jacksonville, Florida 32216

Owner: Roy Shaw / Guy LaChapelle
2762 W. Beaver Street
Jacksonville, Florida 32254

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2016-0606** seeks to rezone approximately 4.54± acres of land from a larger 9.9± parcel from the Planned Unit Development (PUD) zoning district to PUD. The initial rezoning to PUD per Ordinance 2012-0136 approved typical CCG-1 zoning district uses, also including a go-cart track/racetrack, to serve the future needs of the communities surrounding this Westside area. The property's current zoning and land uses are split between Planned Unit Development (PUD) and CGC on the front half, and RR-Acre and

LDR on the rear (southern) half. The northerly portion of the property was used for an off-road go-kart/dune buggy track. The owner would now like to use the property for automobile storage, recreational vehicle storage, semi-truck and boat storage. The southerly portion of the property will remain undeveloped.

The Department recommends that the initial conditions recommended in 2012 remain with this rezoning request - that automobile service stations, minor and major repair and service garages, and auto laundries, and all establishments or facilities that include the retail sale and service of all alcoholic beverages for on premises or off premises consumption or both, including permanent or restricted outside sales and service, with or without the service of food be approved via the Minor Modification process.

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. The CGC functional land use category permits a variety of commercial developments which include business and professional offices, fast food establishments, small department stores, auto repair and sale, and similar other types of commercial developments. 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.

(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

The Community/General Commercial (CGC) land use category includes outlets and establishments that offer a wide range of goods and services including general merchandise, apparel, food and related items. General commercial uses include business and professional offices, financial institutions, highway commercial, mobile home/motor home rental and sales, off-street parking lots and garages, and boat storage and sales, among other similar types of commercial developments. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan including the following goals, objectives and policies:

Future Land Use Element (FLUE)

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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

FLUE Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

FLUE 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.

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 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

FLUE Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The subject site is located in the Suburban Development Area of the Southwest Planning District, in an area with access to full urban services and sidewalks and within walking distance to other commercial services. The property is located in an area of the City that is contiguous to other commercial properties west of the site on 103rd Street which provides increased commercial opportunities as prescribed by FLUE Policies 1.1.22 and 3.2.2.

103rd Street is a minor arterial roadway and converting the existing racetrack on the property to other potential commercial ventures will increase the intensity of the property which is underutilized in its existing state. Therefore, allowing other commercial uses in its zoning is consistent with FLUE Objectives 1.1, 6.3, Policies 3.2.1 and 3.2.7.

The subject property also contains wetlands. Checking with the St. Johns River Water Management District, there are no environmental resource permits issued for this site. However, according to the PUD site plan there are no plans to encroach into or alter wetlands at this time. Therefore, the proposed rezoning and development is consistent with the following goal and objective:

Conservation Coastal Management Element (CCME)

Goal 4 To achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetland resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

Objective 4.1 The City shall protect and conserve the natural functions of its existing wetlands, including estuarine marshes.

Therefore, proposed rezoning to Planned Unit Development, as conditioned, is consistent with the 2030 Comprehensive Plan, and further the 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 requests only one single-family dwelling for a property caretaker. It 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 use of existing and proposed landscaping: While the east and west boundaries of the parcel abut Commercial Office (CO) zoned property and require no uncomplementary land use buffer, landscaping will be constructed and maintained in accordance with the Landscape and Tree Protection Regulations set forth in Part 12 of the City of Jacksonville Zoning Code, including Section 656.1222 regarding buffer requirements for residential subdivisions;

provided, however, that all required perimeter landscaping and buffering may be located within the required yard setbacks. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees, and shrubs.

Traffic and pedestrian circulation patterns: Access to the site will be from 103rd Street. As indicated on the site plan, the property will have two primary access points. Internal roads may be private or public and the design of the access points and internal road as shown on the site plan may vary prior to development; provided, however, that the final design of each shall be subject to the review and approval of the Planning and Development Department. The site will be developed with internal walkways that will connect to any existing external sidewalk along 103rd Street at each entrance to the property.

The use and variety of building setback lines, separations, and buffering: The PUD does not establish lot coverage/criteria for development, other than all buildings, structures and signage shall be constructed and painted with materials that are aesthetically compatible and blend in with the character of the surrounding area. Throughout the PUD, any dumpsters, compactors, propane tanks, and similar appurtenances shall be kept behind or within substantially opaque enclosures composed of the same material and painted the same color as the nearby structure within the property, such that the dumpster, compactors propane tank, or similar appurtenance is screened from view from surrounding roadways and adjacent properties.

The particular land uses proposed and the conditions and limitations thereon: The applicant proposes land uses permitted or permitted by exception in the CGC functional land use category such as commercial retail sales and service establishments, restaurants with full liquor sales, medical or professional offices, automobile, RV and boat storage, retail sale of automobiles, trailers and truck sales, equipment sales personal property storage establishments and go-kart/racetrack facilities. The Department recommends that some of the proposed uses seek permitting via the Minor Modification process in this PUD such as automobile service stations, minor and major repair and service garages, auto laundries, and all establishments or facilities that include the retail sale and service of all alcoholic beverages for on premises or off premises consumption or both, including permanent or restricted outside sales and service, with or without the service of food.

Signage: The written description states that the PUD shall be permitted two (2) double-faced or single-faced externally-illuminated monument signs, not to exceed twenty-four (24) square feet in area per sign face and twelve (12) feet in height, at each entrance. Multiple uses within the PUD may be identified on the signage without regard to property ownership boundaries that may exist among the individual uses.

(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 less than one mile east of Cecil Commerce Center Parkway along a rapidly developing portion of 103rd Street, and is consistent with and comparable to permitted development in the area. The property is bordered on the west by a mixed use storage facility and wetlands to the east. The southern portion of the property is under the same ownership and is wetland. The proposed rezoning, as conditioned, is compatible in both intensity and density with the surrounding uses and zoning districts, as it will eventually serve the surrounding community as this portion of 103rd Street continues to emerge and develop into a new commercial node within easy walking distance of abutting residential communities.

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

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	CGC	CO/RLD-100B/ PUD	Undeveloped
East	CGC	CO	Undeveloped
South	LDR	RR-Acre	Undeveloped
West	CGC	CO	Mixed use dev.

(6) Intensity of Development

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

The availability and location of utility services and public facilities and services: The site is served by city sewer and water.

(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 2005 Geographical Information Systems shape file did not identify any wetlands on this 4.54 acre portion of the 9+ acre site. 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 proposed PUD will provide integrated parking to support the proposed development. Parking standards shall be applied taking into consideration the entire use or development at issue; required off-street parking may be provided “off-site” and may be shared with other uses,

so long as the property in its entirety provides sufficient off-street parking for all proposed uses therein. Modifications to parking requirements within the PUD may be permitted by the Administrative Modification process.

(11) Sidewalks, trails, and bikeways

The project will contain an internal pedestrian system that meets the 2030 Comprehensive Plan. External sidewalk connections will be provided to 103rd Street at both proposed ingress/egress points.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on September 21, 2016 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 2016-0606 be **APPROVED with the following exhibits:**

1. The development shall be subject to the legal description dated May 11, 2016.
2. The development shall be subject to the revised written description dated September 4, 2016.
3. The development shall be subject to the original site plan dated July 6, 2016.
4. The following uses shall require site plan approval through a Minor Modification in order to be permitted on the subject property: automobile service stations, minor and major repair and service garages, the rental of automobile vehicle, trailers and trucks and auto laundries, and all establishments or facilities that include the retail sale and service of all alcoholic beverages for on premises or off premises consumption or both, including permanent or restricted outside sales and service, with or without the service of food.



Aerial view of the subject site facing north



View of the subject site facing south from 103rd Street



View of the subject site facing south from 103rd Street



View of the subject site on the right facing east along 103rd Street



View of the subject site on the right facing east along 103rd Street



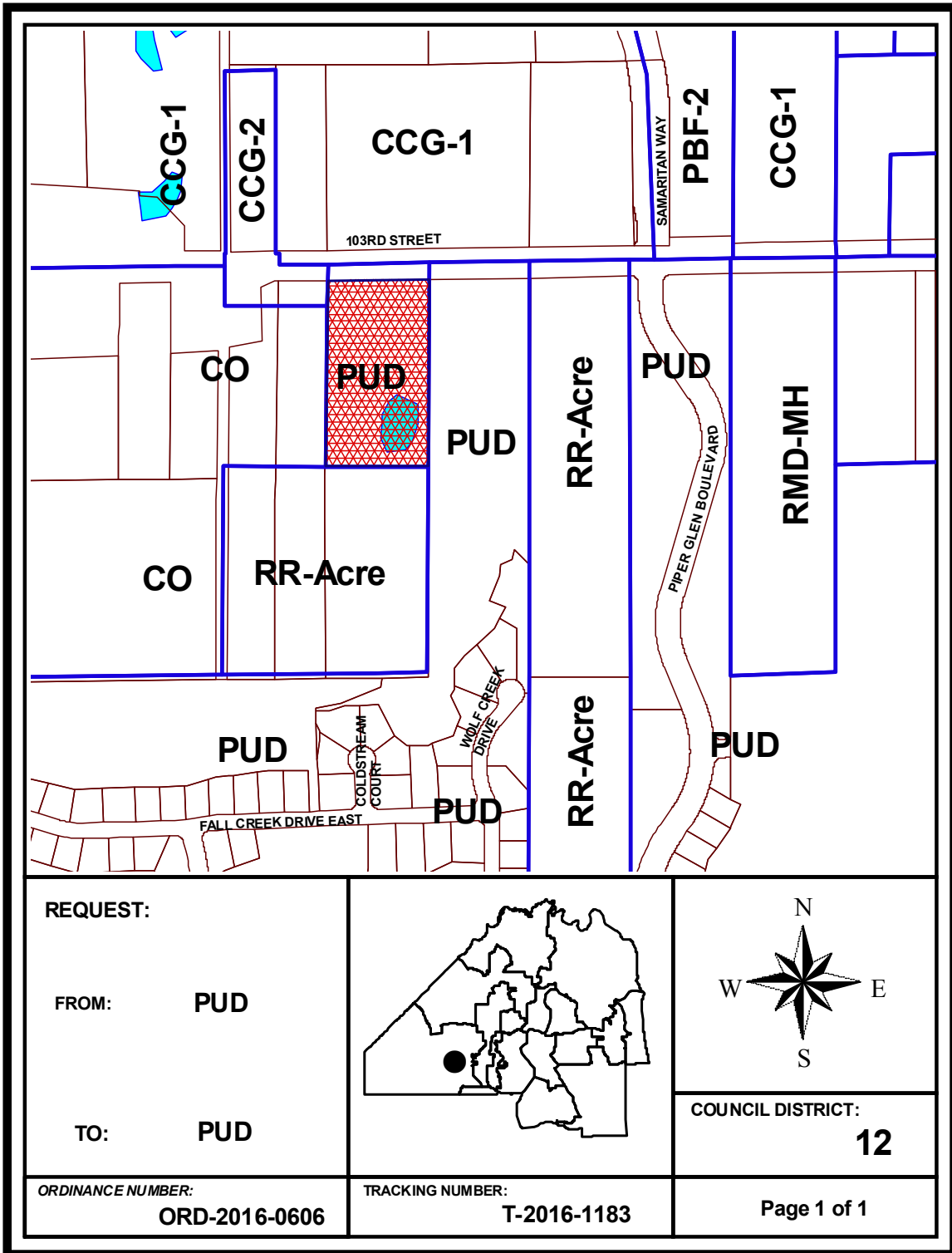
Facing south into the subject site from 103rd Street



Facing east along 103rd Street



Facing west along 103rd Street

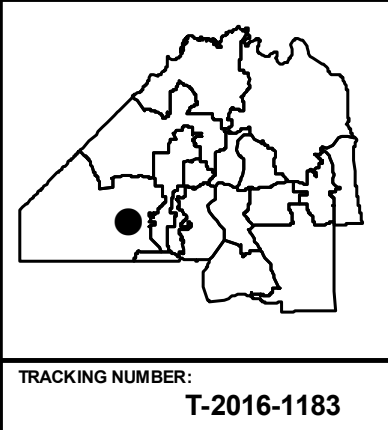


REQUEST:

FROM: PUD

TO: PUD

ORDINANCE NUMBER:
 ORD-2016-0606



COUNCIL DISTRICT:
 12

TRACKING NUMBER:
 T-2016-1183

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