

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2017-0214 TO
PLANNED UNIT DEVELOPMENT

APRIL 20, 2017

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 **2017-0214** to Planned Unit Development.

Location: 13363 Beach Boulevard; at the northwest corner of Beach Boulevard and Brougham Avenue between Hodges Boulevard and Lucena Lane

Real Estate Number(s): 166898-0000, 166899-0000, 166900-0000, 166901-0000, 166902-0000 and 166903-0000

Current Zoning District: Commercial Community General-1 (CCG-1) and Residential Low Density-60 (RLD-60)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC) and Low Density Residential (LDR)

Proposed Land Use Category: Community General Commercial (CGC)

Planning District: Greater Arlington/Beaches, District 2

Planning Commissioner: Vacant

City Council District: The Honorable Al Ferraro, District 2

Applicant/Agent(s): L. Charles Mann
165 Arlington Road
Jacksonville, Florida 32211

Paul M. Harden, Esq.
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner(s): Captains Club, Inc.
13363 Beach Boulevard
Jacksonville, Florida 32246

B&S Family, LLC
1246 Estoril Drive
Jacksonville, Florida 32216

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2017-0214** seeks to rezone approximately 2.53 acres of land from CCG-1 and RLD-60 to PUD. The rezoning to PUD is being sought so that the property can be developed for commercial/retail uses and anchored by a convenience store with a gas station. The subject site is located north of Beach Boulevard and in the northeast quadrant of the signalized intersection of Brougham Avenue and Beach Boulevard. The area immediately to the north and west of the property primarily consists of single family residential and vacant property with commercial uses to the south fronting Beach Boulevard. The CGC land use category and CCG-1 Zoning District runs east along the north side of Beach Boulevard and runs east and west along the south side of Beach Boulevard. A large residential gated community, Terra Costa, fronts Beach Boulevard and is located immediately west of the property. Arpino Drive along the north side of the property is an unopened right-of-way. Brougham Avenue along the east side of the property is a local road; the portion of Brougham Avenue from Beach Boulevard to Arpino Drive is paved and improved, however, as the road travels further north through the residential area, it becomes an unimproved dirt road. There are no sidewalks along Arpino Drive or Brougham Avenue. Abutting the PUD site to the south is Beach Boulevard, a principal arterial roadway. Sidewalks are located on both sides of Beach Boulevard. According to the PUD application, access to the property will be provided through two access points, one access point off Beach Boulevard and one off of Brougham Avenue.

The site currently consists of an existing 6,000 square foot single-story office/lodge building built in 1982 and vacant land. Commercial and retail uses are located across Beach Boulevard to the south of the subject site and residential uses to the north and west.

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 PUD.

(1) Is the proposed zoning district consistent 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 Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC) and Low Density Residential (LDR) functional land use categories. There is a companion small scale land use amendment 2017C-005 (Ordinance 2017-0213) which seeks to amend that portion of the property from Low Density Residential (LDR) to Community General Commercial (CGC). The companion land use amendment would allow commercial uses and be consistent with the portion of the property that fronts Beach Boulevard. The property is located in both the Urban and Suburban Area Development Boundaries. The current CGC/CCG-1 portion of the property is in the Urban Development Boundary; the current LDR/RLD-60 portion of the property is in the Suburban Development Boundary.

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. Development within the category should be compact and connected and should support multi-modal transportation. 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 proposed project for a commercial PUD as described in the written description and site plan is permitted within the CGC land use category.

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

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 meet all portions of the City’s land use regulations and further 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

According to the Category Descriptions for the Suburban Development Areas of the FLUE, the LDR land use category is intended to provide for low density residential development. LDR permits housing densities up to 7 dwelling units per acre when full urban services are available. Generally, single-family detached housing will be the predominant land use in this category, although mobile homes, patio homes, townhomes and multi-family dwellings may also be permitted in appropriate locations.

The CGC Future Land Use Category 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. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods.

In accordance with Section 656.129 “Advisory recommendation on amendment of Zoning Code or rezoning of land” of the Zoning Code, the proposed development of the subject property is within the LDR and CGC land use categories as identified in the FLUMs. There is a companion small scale land use amendment 2017C-005 which seeks to amend that portion of property from Low Density Residential (LDR) to Community General Commercial (CGC). This proposed rezoning to PUD is consistent with the *2030 Comprehensive Plan* and furthers the following objectives and policies contained herein, including:

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 1.1.0 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

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 1.1.22 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 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

FLUE Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas. Plan and have an adverse impact on adjoining or nearby uses. Consider office and high density residential development as a viable alternative in land use reviews.

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 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

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 for the proposed rezoning is in the CGC land use category. Lands within the category traditionally contain retail and commercial uses. Adjacent land use categories include Low Density Residential (LDR) to the north and west of the subject site, and Community General Commercial (CGC) to the south and east of the subject site. The proposed PUD is consistent with FLUE Objective 1.1 given the existing land use fabric in the area and the fact that the proposed development is consistent with uses allowed in the CGC category, which serves as a compatible transition from the LDR to the CGC categories. Further, the proposed development is located in an underutilized Beach Boulevard corridor. The northern portion of the site will be utilized for stormwater retention. Approval of the request will provide a development opportunity for commercial infill on the property. In general, this Beach Boulevard corridor consists of residences, retail establishments and service providers, and the proposed development will sustain the viability of the area by adding employment and shopping opportunities in the vicinity. As such, the proposed PUD is consistent with FLUE Objectives 3.2 and 6.3 and FLUE Policies 1.1.22, 3.2.1, and 3.2.4.

The proposed rezoning has been identified as being related to the following issues identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application has been carefully evaluated for consistency or inconsistency with the following issues:

Airport Environment Zone

The site is located within the 300-foot Height and Hazard Zone for Craig Airfield. Zoning will limit development to a maximum height of less than 300', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.10051(d).

Future Land Use Element

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities

(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. Credit is available for the existing Captains Club structure if it is demolished. No other entitlements for concurrency or mobility are available to the property. The owner is required to file an application for a Mobility Fee Calculation Certificate (MFCC) and companion application for Concurrency Reservation Certificate (CRC) and must make payment of the calculated amount to the Concurrency and Mobility Management System Office prior to issuance of a development permit by the City of Jacksonville.

(3) Allocation of residential land use

No residential uses are proposed within the PUD.

(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: Landscaping internal to the site will comply with Part 12 of the Zoning Code, “Landscape and Tree Protection.”

The treatment of pedestrian ways: The intersection on which the subject site is located is fully served with a sidewalk along Beach Boulevard. All pedestrian systems will comply with the *2030 Comprehensive Plan*.

Traffic and pedestrian circulation patterns: The subject site will be accessed via two (2) entrances; one from Beach Boulevard and one from Brougham Avenue. The developer will need to coordinate with the Florida Department of Transportation (FDOT) Access Management and Permits regarding the driveway connections on Beach Boulevard, which is a state road (US 90). The City’s Traffic Engineering Division recommends that the applicant provide a traffic study for sufficient queue lengths on Monument Road and a signal warrant analysis at Monument Road and Monument Landing Boulevard. Based on the proposed site plan, internal traffic circulation connects all six (6) lots.

The use and variety of building setback lines, separations, and buffering: Setbacks for the proposed PUD are consistent with the Commercial Community General-1 (CCG-1) Zoning District in that no minimum front yard or side yard is required. The development will utilize both

on-site and off-site landscape areas and open space to achieve the necessary buffering. As the residential development to the west has not elected to develop any parcels along its easternmost boundary, the nearest utilized residential structure will be more than 50 feet from the subject property. Others will enjoy more than 80 feet of separation from this development. Similarly, Arpino Drive is unopened west of Brougham Avenue. The subject property design incorporates two pond areas along the northerly property boundary assuring that the uses occurring on the subject property are located not closer than 40 feet from that boundary. Requisite plant material will be installed along the boundaries consistent with the Zoning Code. The development will be situated in a manner that permits an efficient use of the property while locating buildings and their primary entryways toward the adjacent roadways. Loading and storage areas shall be located along the rear of the buildings, in a manner that screens these areas from the adjacent roadways, while at the same time protecting them from being seen from adjacent residential areas.

(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: Lands immediately adjacent to the subject site on the south and east are designated as commercial. Residential uses are located to the north and west of the subject site. The uses proposed within the developed portions of the PUD are consistent with those allowed in the CGC land use category and have incorporated landscape buffers and stormwater retention areas to limit possible impacts and act as a transition between the residential uses and the commercial uses proposed in the PUD.

The Comprehensive Plan and existing zoning on surrounding lands: The request for the proposed PUD to develop commercial uses consistent with the CGC land use category is consistent with the adjacent uses, zoning districts, and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single-family homes and vacant property
South	CGC	CCG-1	Vacant and active commercial
East	LDR & CGC	RLD-60 & CCG-1	Children's school/commercial uses
West	LDR	PUD	Residential community

The site provides for infill development along Beach Boulevard with an established pattern of commercial properties abutting both sides of the road. The rezoning would result in compatible land use patterns for the area. Additionally, the PUD limits the proposed uses and provides for a buffer between the residential area to the north and the proposed commercial use to address protection and continued viability of the existing residential area while providing for a compact and compatible mix of uses.

Lighting: The applicant has not submitted a lighting plan. Per land development procedures, lighting associated with any use of the proposed PUD will be compatible with the surrounding uses and not obtrusive.

(6) Intensity of development

The proposed development is consistent with the CGC functional land use category and is intended to be a mixed-use development consisting of six (6) lots, not to exceed 14,500 square feet of development. Based on the submitted site plan, Parcel A shall be developed with a convenience store and gas station and shall not exceed 6,200 square feet; Parcel B shall be developed with up to 8,600 square feet of retail/commercial uses. 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 located in both the Urban and Suburban Development Area. The northern half of the property abuts the Urban Development Boundary within the site. The proposed rezoning does not include a residential component. Therefore, school capacity issues will not be impacted. The Jacksonville Electric Authority (JEA) provides electric power, water, and sewer services to the property, and a letter of availability has been issued.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject site will be accessed from both Beach Boulevard and Brougham Avenue. Beach Boulevard is an arterial roadway which is relatively continuous and of a relatively high traffic volume, long trip length and high operating speed. Arterial roads have restricted parking, access control, with signals at important intersections and stop signs on the side streets. Based on a roadway capacity analysis by FDOT, the segments of Beach Boulevard in the vicinity of the subject site have sufficient capacity to accommodate the trips generated from the proposed convenience store use. Sidewalks are provided along this northern side of Beach Boulevard and provide pedestrian access to the proposed development. Bicycle lanes are also located along both roadways, and a bicycle rack will be provided on site subject to Sec. 656.608 of the Zoning Code.

The subject property is located within the boundaries of the Greater Arlington/Beaches Vision Plan. The Plan encourages land use patterns consistent with the surrounding area while respecting the hierarchy of traffic patterns and roadways. The subject area is identified as a target for mixed-use redevelopment and infill. The vision plan also promotes economic growth which advances neighborhood character. The proposed amendment provides commercial infill development along a principal arterial roadway with site design regulated through a PUD rezoning to protect the surrounding neighborhood. The proposed amendment is consistent with the Greater Arlington/Beaches Vision Plan.

(7) Usable open spaces, plazas, recreation areas

The proposed PUD does not include recreational uses, but will contain over 0.30 acres of open space and buffer areas.

(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. 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.

Parking will be provided consistent with Part 6 of the Zoning Code and as it relates to uses within Parcel B. The PUD proposes parking in excess of the Part 6 requirements for Parcel A. In consideration of the uses both sharing the available parking and all operations occurring during similar hours, additional parking spaces are warranted. Therefore, the parking maximum limitation of the Zoning Code shall not be imposed upon this development. Otherwise, said parking shall conform to Part 6, Zoning Code, as it relates to all other matters, and will be subject to review and approval by the Planning and Development Department.

(11) Sidewalks, trails, and bikeways

The intersection on which the subject site is located is fully served with sidewalks along Beach Boulevard. All pedestrian systems will comply with the *2030 Comprehensive Plan*, and bicycle racks will be provided subject to Section 656.608 of the Zoning Code.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on April 3, 2017, 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 **2017-0214** be **APPROVED** with the following exhibits:

- 1. The original legal description dated January 17, 2017.**
- 2. The original written description dated March 20, 2017.**
- 3. The original site plan dated January 11, 2017.**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-0214** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

- 1. 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. Light fixtures shall be mounted on canopies so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy.**
- 2. Monument signs shall not exceed twenty (20) feet in height.**
- 3. Prior to requesting a final building inspection or occupying the facility in any manner, the lead horizontal and lead vertical design professionals shall submit to the Planning Department separate certification letters confirming that all horizontal and vertical components of the development have been substantially completed, and all conditions to the development order have been satisfied. This condition shall apply to both phased and non-phased developments.**



Aerial view of the subject site facing north



The subject site ahead on the right facing west along Beach Blvd.







