

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2017-0221 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 **2017-0221** to Planned Unit Development.

Location: 0 Monument Road,
Between Monument Road and McCormick Road

Real Estate Number(s): 167447-0100 and 167447-0200

Current Zoning District: Planned Unit Development (PUD 2009-0750)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Residential Professional Institutional (RPI) and
Conservation (CSV)

Planning District: Greater Arlington/Beaches, District 2

Planning Commissioner: Chris Hagan

City Council District: The Honorable Al Ferraro, District 2

Applicant/Agent: Paul M. Harden, Esq.
Law Office of Paul M. Harden
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner: William A. Watson
Watson Realty Corporation
7821 Deercreek Club Road, Suite 200
Jacksonville, Florida 32256

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2017-0221** seeks to rezone approximately 14.58 acres of land from PUD to PUD. The rezoning to PUD is being sought so that the property can be developed for commercial and institutional uses and anchored by a convenience store with a gas station. The property is located in the Residential-Professional-Institutional (RPI) and Conservation (CSV) land use categories within the Suburban Development Area (SA) as designated in the *2030 Comprehensive Plan*. Conservation land will remain in the CSV category; no development is proposed for this area. The proposed PUD allows for six (6) buildings to be constructed on six (6) lots, not to exceed 60,000 square feet of development. The RPI land use category limits commercial retail sales and service establishments to 50 percent of the site area. As such, no more than 30,000 square feet of the proposed site development shall be retail uses. One lot will be an existing non-retail office building, which is 9,600 square feet. The proposed convenience store and gas station are designed to be 6,500 square feet and will be located in the southwest quadrant of the intersection of McCormick Road and Monument Road, a four-lane collector roadway. Convenience stores are allowed as a principle use within the RPI category, and filling stations are allowed as secondary uses. McCormick Road (SR-116) is classified as a four-lane divided minor arterial roadway. The remaining lots shall be a mix of retail and office, with the understanding that not more than 30,000 square feet of retail shall be developed, inclusive of the convenience store.

The site currently consists of an existing single-story office building, a two-story office building, a parking lot, and vacant land. Single and multi-family residential uses are located across McCormick Road to the north of the subject site with conservation land designated to the west and south. Commercial uses are located to the east and northeast of the subject site, across McCormick and Monument Roads.

The previous PUD, Ordinance 2009-0750, was sought in order to add the now existing two-story building located on the site. The previous PUD had also proposed a mixed use project of professional office and commercial uses, consistent with the Commercial Neighborhood (CN) 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 PUD.

(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 RPI and CSV functional land use categories of the Suburban Development Area (SA) 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*. As previously mentioned, conservation uses will continue in the area designated as CSV. According to the Category Descriptions for the SA of the FLUE, the RPI future land use category primarily permits medium to high density residential, professional office and institutional uses. Limited commercial retail and service establishments which serve a diverse set of neighborhoods may also be permitted as part of mixed use developments. Filling stations are permitted in the RPI category as a secondary use when part of mixed use development. The RPI category is generally intended to provide transitional uses between commercial and residential uses. 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?

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

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 RPI land use category as identified in the FLUMs. 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 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 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.

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 4.1.8B

The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

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 CSV and RPI land use categories. Lands within the CSV category will continue to be used for conservation, and the RPI land use category is a transitional category between residential and commercial uses. Adjacent land use categories include Medium Density Residential (MDR) to the north of the subject site, Community General Commercial (CGC) to the east of the subject site, and CSV designated to the west and south. 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 RPI category, which serves as a compatible transition from the MDR to the CGC categories. Further, the proposed development is located in an underutilized quadrant of the commercial intersection of McCormick Road and Monument Road. A portion of the subject site remains vacant, providing a development opportunity for commercial infill on the property. In general, this intersection 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 3.2.2.

The proposed rezoning has been identified as being related to the following topics and issues identified in the *2030 Comprehensive Plan*:

Greater Arlington/Beaches Vision Plan and Wonderwood Connector Corridor Land Use and Zoning Study

The subject site is located within the boundaries of the *Greater Arlington/Beaches Vision Plan* (approved and adopted in November 2010 via Ordinance 2010-0847-E) and *Wonderwood Connector Corridor Land Use and Zoning Study* (approved and adopted in May 2002 via Ordinance 2002-0512-E). Much of the corridor study was incorporated into the vision plan which targets the intersection of McCormick Road and Monument Road as a neighborhood gateway. As stated in the vision plan, gateways announce the presence of an area's specific identity and character.

According to the vision plan the key to successful revitalization is to provide an increase in density and land use diversity in appropriate places. Existing neighborhoods must be protected, and the community needs to have confidence that new growth will enhance their quality of life, not detract from it. Density and mixed uses are most sustainable when they are developed in locations that maximize adjacencies to existing land uses, have the greatest opportunity for connectivity, and reuse vacant or underutilized land in developed areas. This generally includes infill sites on major corridors and nodes, redevelopment and adaptive reuse.

In addition, the *Wonderwood Connector Corridor Land Use and Zoning Study* stipulates that this area has the potential to become over-served by commercial acreage without experiencing any changes to existing land use designations. Too much acreage designated commercial has the potential to result in underutilization of commercial sites, which may undermine their value. Further, it may negatively affect the balance of neighborhoods. Areas that are perceived as excessively "commercial" become less desirable for residential neighborhoods and experience the impacts of increased traffic and noise that come with commercial locations. The applicant is not requesting to amend the future land use category, and the existing RPI land use designation is intended as a transitional category between commercial and residential uses. Therefore, development of the property with a mix of uses would be consistent with both the vision plan and corridor study and, as such, is also consistent with FLUE Policy 4.1.8B listed above.

Wetlands

A wetlands survey map for this application site was extracted from the St. Johns River Water Management District (SJRWMD) permitting website and merged with the City's GIS system. A wetlands boundary determination was approved by the SJRWMD in May 2016 (permit identification #146357-1) and issued to Brightworks Real Estate. According to the Florida Land Use Code Classification System (FLUCCS) the property is classified as "Wetland Forested Mixed" type wetlands. Based on a comparison of the amendment site to the wetlands boundary determination, the site contains wetlands. This acreage is located along the western and southern boundary of the proposed subject site. These wetlands are part of a larger system which drain to the south and southeast on adjacent lands before emptying into Cedar Swamp. Cedar Swamp eventually drains into Tiger Pond Creek, which then drains into Mt. Pleasant Creek, and then into the St. Johns River. This wetland system is a "Category III," having a high functional value

due to its water filtration and water retention attenuation. Alteration of this wetland from development will require mitigation from the SJRWMD.

According to the proposed PUD site plan, some wetlands located on-site will be eliminated by the construction of a stormwater retention lake. Presently, the applicant only has a “wetlands boundary determination” and therefore does not have permission for this activity. Any development impacting wetlands and their functional values requires mitigation consistent with Goal 4 and Objective 4.1 of the Conservation and Coastal Management Element (CCME) of the *2030 Comprehensive Plan*.

Other general requirements for development in wetland areas include permitting uses, maintenance of water quality, maintenance of vegetation, and hydrology, which are specified in CCME Policy 4.1.3. However mitigation of the site’s wetlands will satisfy that policy as well.

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.

CCME Objective 4.1

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

CCME Policy 4.1.3

The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

- (a) Encroachment
Encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and
- (b) No net loss
Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:
 - i) the habitat of fish, wildlife and threatened or endangered species,
 - ii) the abundance and diversity of fish, wildlife and threatened or endangered species,
 - iii) the food sources of fish and wildlife including those which are threatened or endangered,
 - iv) the water quality of the wetland, and
 - v) the flood storage and flood conveyance capabilities of the wetland; and
- (c) Floodplain protection
Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and
- (d) Stormwater quality

In the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:

- i) Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
 - ii) Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems.
- (e) Septic tanks
Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and
- (f) Hydrology
The design of the fill shall include measures to maintain the wetlands hydrology of the site.

Airport Environment Zone

The site is located within the 150-foot Civilian Height and Hazard Zone for Craig Airport. Zoning will limit development to a maximum height of less than 150 feet, 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 656.1005.1(d). See Objective 2.5 of the Future Land Use Element below:

FLUE 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. The applicant/owner will need to submit a CCAS/CRC application as well as a Mobility application, and it may be beneficial for the applicant to file for a Mobility Contract for the proposed development.

(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 sidewalks, along both roadways. The proposed site plan shows pedestrian circulation from McCormick Road, south onto Lot A of the subject site (convenience store with filling station), east to the proposed structure, and continuing on to connect with Monument Road. All pedestrian systems will comply with the *2030 Comprehensive Plan*.

Traffic and pedestrian circulation patterns: The subject site is accessed via two (2) entrances from McCormick Road, and two (2) entrances from Monument Road. The developer will need to coordinate with the Florida Department of Transportation (FDOT) Access Management and Permits regarding the driveway connections on McCormick Road, which is a state road (SR-116). 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. A minimum rear yard of 10 feet is required. Approximately 48 percent of the total site area will remain conservation and surrounds the subject site to the west and south. Monument Road bounds the site to the east, with McCormick Road serving as the boundary to the north. These roadways act as buffers to residential and commercial uses to the north and east.

(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:

Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon: The subject site contains approximately seven (7) acres, or 48 percent of the total acreage, of conservation land. This land is located along the western and southern boundaries of the subject site. The proposed developed parcels front McCormick Road to the

north and Monument Road to the east. These are large roadways which serve as buffers to residential uses and commercial uses to the north and east, respectively.

The type, number and location of surrounding external uses: Lands immediately adjacent to the subject site are designated as conservation. Residential uses are located to the north of the subject site, across McCormick Road. The uses proposed within the developed portions of the PUD are consistent with those allowed in the RPI land use category and as such, act as a transition between the residential uses (north side of McCormick Road) and the commercial uses (east side of Monument Road).

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

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use</u>
North	MDR	PUD/RMD-D/RMD-A	Single and multi-family residential
South	RPI/CSV	PUD	Conservation
East	CGC/RPI	CSV/PUD/CO	Various commercial uses/shopping center
West	CSV	PUD	Conservation

Lighting: The applicant has not submitted a lighting plan. As conditioned, 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 RPI functional land use category and is intended to be a mixed-use development consisting of six (6) lots, not to exceed 60,000 square feet of development of which no more than 30,000 square feet shall be retail uses. Based on the submitted site plan, Lot A shall be developed with a convenience store and gas station and shall not exceed 6,500 square feet. 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: Representatives from the Duval County Public Schools (DCPS) have reviewed the proposed PUD and have found no impact to their facilities and no DCPS school facilities located within 1,500 feet of the subject site. 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 is accessed from both McCormick Road, an arterial roadway, and Monument Road, which is classified as a collector roadway. An arterial roadway provides service 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. A collector roadway provides land access and traffic circulation within residential, commercial and industrial areas. Collector roads collect and distribute traffic between local roads and arterial roads. Collectors are roadways providing service that is of relatively moderate traffic volume, moderate trip length and moderate operating speed. Based on a roadway capacity analysis by FDOT, the segments of McCormick Road 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 both roadways and lead directly 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.

(7) Usable open spaces, plazas, recreation areas

The proposed PUD does not include recreational uses.

(8) Impact on wetlands

A wetlands survey map for this application site was extracted from the SJRWMD permitting website and merged with the City's GIS system. A wetlands boundary determination was approved by the SJRWMD in May 2016 (permit identification #146357-1) and issued to Brightworks Real Estate. According to the FLUCCS the property is classified as "Wetland Forested Mixed" type wetlands. Based on a comparison of the amendment site to the wetlands boundary determination, the site contains wetlands. This acreage is located along the western and southern boundary of the subject site. This wetland system is a "Category III," having a high functional value due to its water filtration and water retention attenuation. Alteration of this wetland from development will require mitigation from the SJRWMD. 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 the CCG-1 Zoning District. The PUD proposes that parking in excess of the Part 6 requirements 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 both roadways. The proposed site plan shows pedestrian circulation from McCormick Road, south onto Lot A of the subject site (convenience store with filling station), east to the proposed

structure, and continuing on to connect with Monument Road. 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.



Date: April 4, 2017

Source: Planning Department Staff

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2017-0221 be **APPROVED** with the following exhibits:

1. **The original legal description dated February 22, 2017.**
2. **The original written description dated March 20, 2017.**
3. **The original site plan dated December 6, 2016.**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2017-0221 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. **Ground signs shall not exceed 30 feet in maximum height.**



Aerial

*Source: Staff, Planning and Development Department
Date: April 5, 2017*



Vacant portion of subject site

*Source: Staff, Planning and Development Department
Date: November 16, 2016*



Existing office building located on the subject site (proposed location of convenience store with gas station)

*Source: Staff, Planning and Development Department
Date: November 16, 2016*



Residential uses across McCormick Road from subject site
Source: Staff, Planning and Development Department
Date: November 16, 2016



View from subject site (on right) looking south on Monument Road
Source: Staff, Planning and Development Department
Date: November 16, 2016



Existing office building on the subject site (to remain)
Source: Staff, Planning and Development Department
Date: November 16, 2016



Intersection of McCormick Road and Monument Road, looking north from subject site
Source: Staff, Planning and Development Department
Date: November 16, 2016



Commercial property across Monument Road from the subject site

Source: Staff, Planning and Development Department

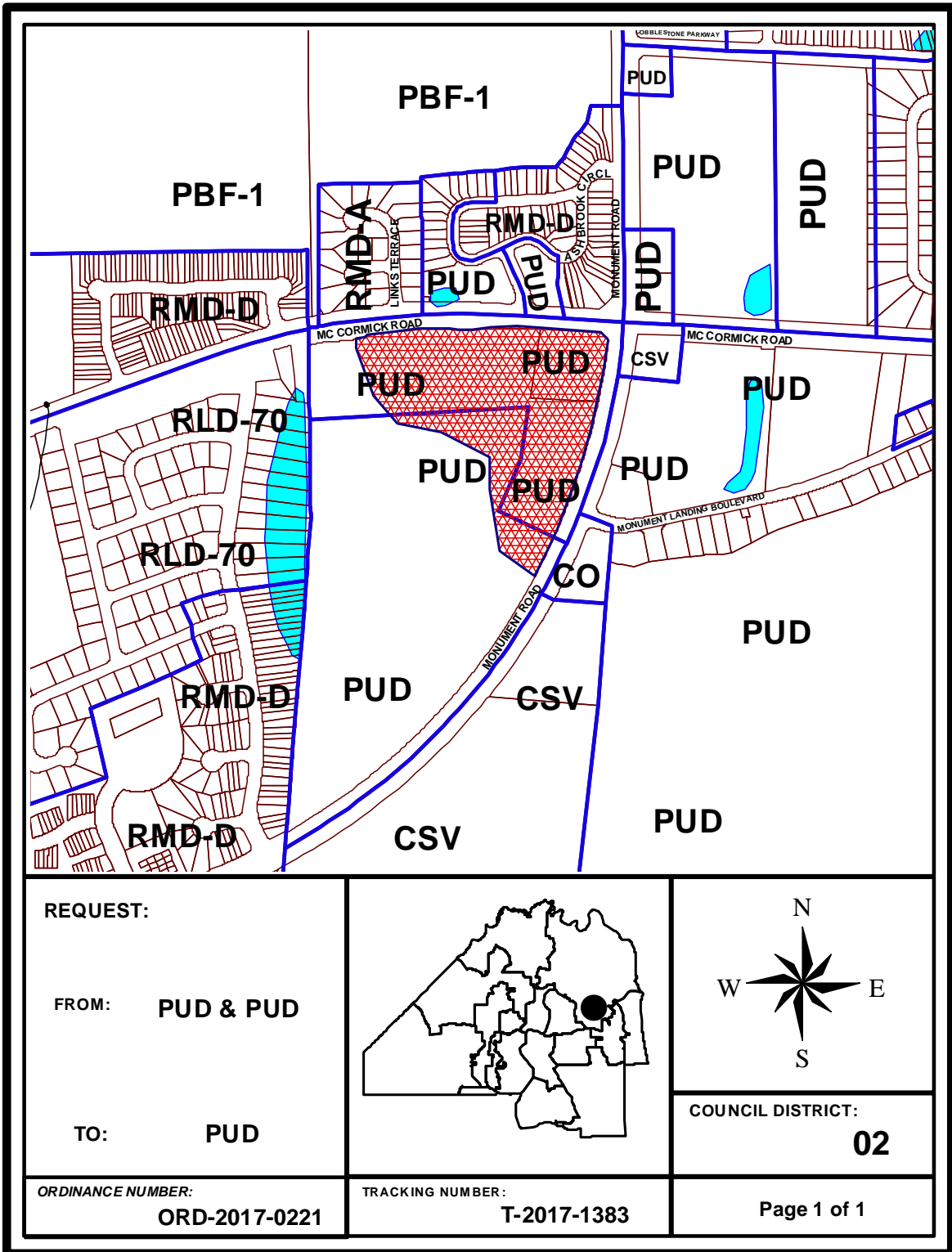
Date: November 16, 2016



Commercial property diagonal, to the northeast, of the subject site across the intersection of McCormick Road and Monument Road

Source: Staff, Planning and Development Department

Date: November 16, 2016

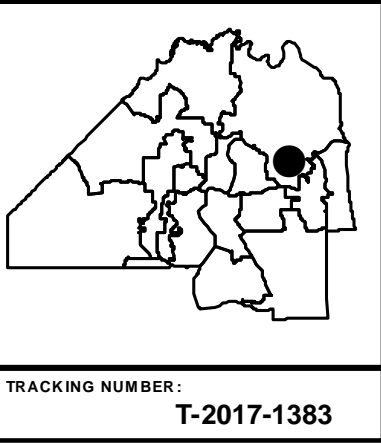


REQUEST:

FROM: PUD & PUD

TO: PUD

ORDINANCE NUMBER:
 ORD-2017-0221



COUNCIL DISTRICT:
02

Page 1 of 1

TRACKING NUMBER:
 T-2017-1383