

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2017-706 TO

PLANNED UNIT DEVELOPMENT

NOVEMBER 9, 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 **2017-706** to Planned Unit Development.

Location: 461 Lee Road between Patterson Circle North and Monument Road

Real Estate Number(s): 163062-0010 and 163062-0000

Current Zoning District: Planned Unit Development (PUD 2006-113)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Business Park (BP)

Planning District: Greater Arlington/Beaches, District 2

Applicant/Agent: L. Charles Mann
Mann-Pellicer
165 Arlington Road
Jacksonville, Florida 32211

Owner: L. Charles Mann
Mann-Pellicer
165 Arlington Road
Jacksonville, Florida 32211

Donald C. Brewer
1162 Nightingale Road
Jacksonville, Florida 32246

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2017-706** seeks to rezone approximately 3.4 acres of land from PUD to PUD. The rezoning to PUD is being sought so that the property can be developed for business, professional and medical offices, warehousing, distribution and building trades contractors with outside storage of trailers and heavy equipment. The current PUD allows for the same uses but did not include outside storage.

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 Business Park (BP) 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. Business Park (BP) is a category primarily intended to accommodate commercial office and light industrial uses. Commercial offices should comprise the majority of the category land area, while service, major institutional and light industrial uses constitute the remaining land area. Limited commercial retail and service establishments, hotels, and motels may also be permitted. Residential uses are also permitted in appropriate locations as identified under the Development Area Uses. Development within the category should be compact and connected and should support multi-modal transportation. Uses should generally be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Transit-Oriented Developments (TOD), as defined in this element, are encouraged when in close proximity to an existing or planned JTA mass transit system station or Rapid Transit System (RTS). 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.

Principal Uses: Offices; Business and professional offices; Banks; Financial institutions; Research and development activities; Radio and TV studios; Light manufacturing; fabrication and assembly; Commercial retail sales and service establishments; Major institutions; Light industrial; Warehousing; Hotels and motels; Off street parking lots and garages when combined with another principal use; and Uses associated with and developed as an integral component of TOD for sites located outside of areas identified as an Industrial Sanctuary. Commercial retail sales and service establishments and residential uses shall only be permitted as part of mixed

use development. **Secondary Uses:** Secondary uses shall be permitted pursuant to the Industrial land use introduction. In addition, the following secondary uses may also be permitted: Communication facilities; Utility plants and facilities; Off-street parking lots; Vocational trade, technical or industrial schools; and similar public facilities. The following secondary uses shall not be permitted: Bed and breakfast; Cemeteries, mausoleums, funeral homes or mortuaries; Driving ranges; Golf, yacht, tennis and country clubs; Commercial fishing or hunting camps; Dude ranches; Fairgrounds; Riding academies; Shooting ranges; Stadiums and arenas; Yard waste composting; Camping grounds; Crematoria; Private camps.

Accessory Uses: Outside storage accessory to a permitted use may be permitted provided it is visually screened pursuant to supplemental performance standards and criteria of the Land Development Regulations.

(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?

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers 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 subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Business Park (BP). 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 1.1.10 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 1.1.12 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 Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

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 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.

(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 proposed PUD limits the number of uses to those that are less intensive than those found in the Industrial Light Zoning District. It also provides for a larger buffer than required adjacent to residential uses.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a commercial and industrial 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 proposed written description includes natural buffers along the east and south property lines. All portions of the Landscape Regulations will be implemented except in the situation if the parcels are subdivided, no uncomplementary buffer will be required between uses.

Traffic and pedestrian circulation patterns: The site plan indicates that two entrances will be allowed on Lee Road.

The particular land uses proposed and the conditions and limitations thereon: The proposed written description has limited the number of uses. These less intensive uses should reduce any adverse impact to the adjacent residential uses.

Compatible relationship between land uses in a mixed use project: The uses proposed are similar in nature and compatible with each other.

(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 in an area where Lee Road is a boundary between the residential and industrial uses. The proposed uses at this location will function as a transition between the residential use and the Industrial Light (IL) Zoning District to the west.

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	RPI	CRO	Single family dwelling
South	RPI	PBF-1	COJ park
East	MDR	RMD-A	Single family dwellings
West	LI	IL	School bus storage

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 current PUD Ordinance has eight conditions imposed by City Council.

(a) *The southern boundary contiguous to the new City park shall be a minimum of fifteen (15) feet in width and it shall be maintained as a natural buffer and supplemented as necessary to contain shade/canopy trees at least twenty-five (25) feet on center. The buffer shall have a visual screen a minimum of 6-feet high and 85% opacity.*

The written description includes a 10 feet uncomplimentary buffer, which is the standard buffer from the Zoning Code.

(b) *A tree survey shall be provided to the Planning and Development Department at the time of substantial verification of the PUD to ensure that a natural buffer, as provided for in Section IV(2)(3) of the written description, meets or exceeds the requirements of Section 656.1216 as it relates to buffers between uncomplimentary uses.*

This condition should be included in the proposed PUD to ensure an adequate buffer is established between the adjacent residential uses.

(c) *The maximum allowable height of structures shall be thirty-five (35) feet.*

This condition is not necessary as the proposed written description now includes a 35 foot height limitation.

(d) *The development shall contain cross access easements between adjacent parcels within the PUD site provided the proposed uses are compatible. Driveway locations and cross access easements are subject to the review and approval of the Traffic Engineering Division.*

(e) *All fencing within the development shall consist of materials other than wood or chain link.*

The proposed written description allows for chain link with slats. It has been the Department's position that a chain link fence with slats does not meet the required 85% opacity criteria. The applicant has not presented any evidence or hardship way this type of fencing shall be allowed. The staff recommends this condition be included for the proposed PUD.

(f) *The permitted uses under Section IV(1)(7) of the written description shall be limited to 25% of the structure of which the use is a part.*

This condition is not necessary as the proposed written description has eliminated the uses.

(g) *The minor repair and servicing of automobiles shall be conducted within a fully enclosed building at all times.*

This condition is not necessary as the proposed written description does not include minor repair as a permitted or permissible use.

(h) *Lighting shall be shoebox type with full cutoffs with the illumination directed away from any adjacent residential uses.*

The staff recommends that a lighting condition be included to reduce any adverse impacts to the surrounding residential uses.

(6) Intensity of Development

The proposed development is consistent with the BP functional land use category as a commercial/industrial development. The PUD as conditioned is appropriate at this location as the proposed uses will function as a transition between the adjacent industrial and residential uses.

The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD: There are single family dwellings to the north and east of the subject property. As the proposed uses are commercial/industrial in nature it is important to protect the residential viability of the surrounding properties. **The staff recommends a condition be carried over from the current PUD. These include illumination of the subject property; setbacks and buffers.**

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space. No recreation area is required.

(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. However, 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 site will be developed in accordance with Part 6 of the Zoning Code.

(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 November 9, 2017, 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 **2017-706** be **APPROVED with the following exhibits:**

1. The original legal description dated August 11, 2017.
2. The original written description dated July 17, 2017.
3. The original site plan dated September 26, 2017.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-706** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. The uncomplementary buffers along the east and south property line shall contain a wood or vinyl fence which meets the 85% opacity. A tree survey shall be provided to the Planning and Development Department at the time of substantial verification of the PUD to ensure that a natural buffer meets the minimum requirements
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. 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. Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.



Aerial view of subject property.

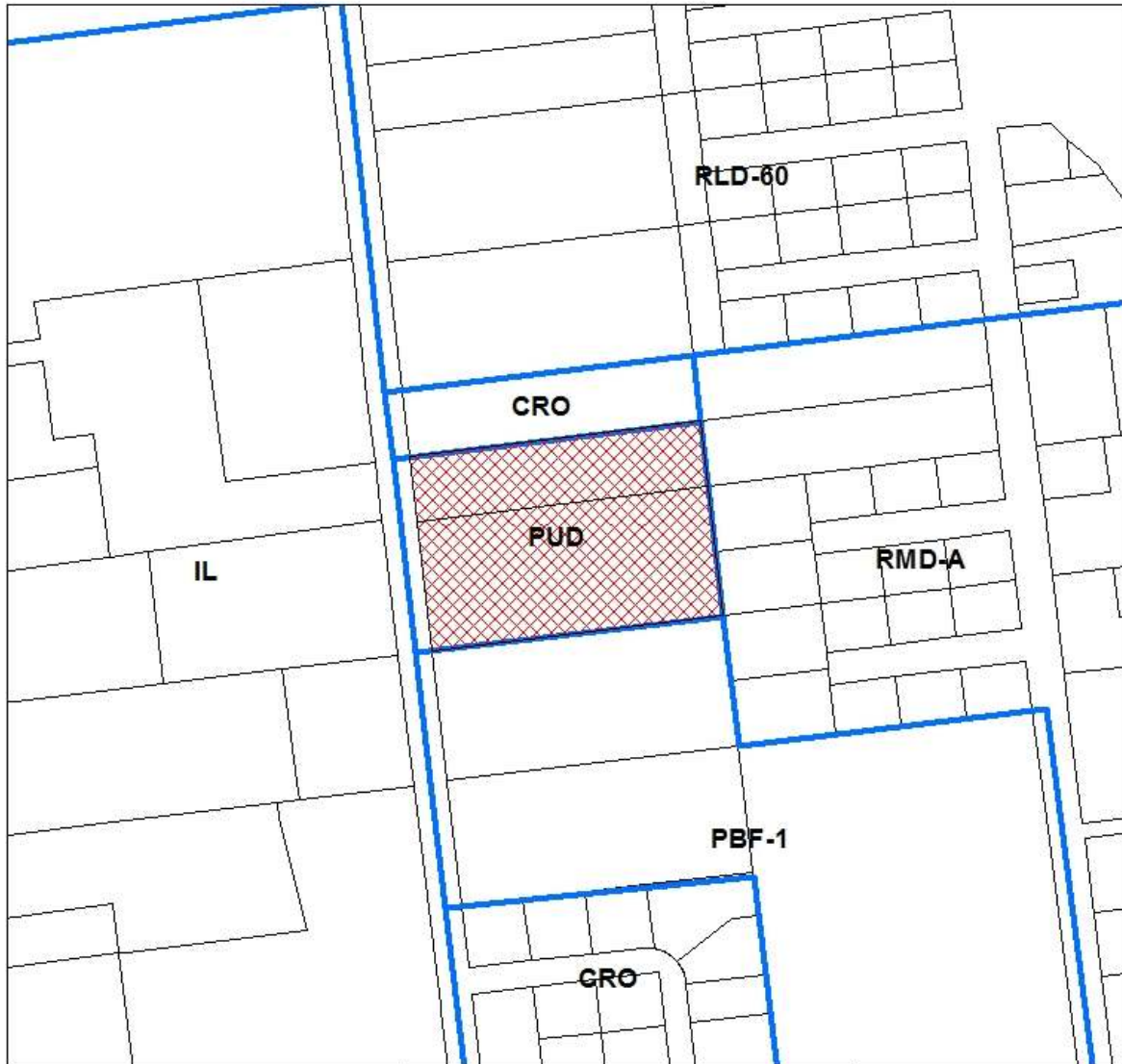


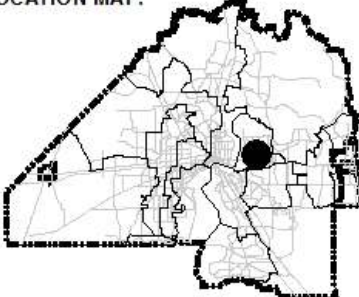

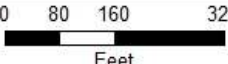
View of subject property



View of subject property





<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	  <p>0 80 160 320 Feet</p> <p>COUNCIL DISTRICT: 1</p>
<p>ORDINANCE NUMBER: ORD-2017-0706</p>	<p>TRACKING NUMBER: T-2017-1531</p>	<p>PAGE 1 OF 1</p>