

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING 2018-0562 TO PLANNED UNIT DEVELOPMENT

SEPTEMBER 20, 2018

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 **2018-0562** to Planned Unit Development.

Location: 3821, 3823, & 3847 Zion Road;
0, 3523, & 3537 Spring Park Road;
3824, 3840, & 3850 Emerson Street (SR 126)

Real Estate Number(s): 127241-0000, 127242-0000, 127243-0000,
127244-0000, 127245-0000, 127247-0010,
127248-0000, 127249-0000, 127249-0210
127250-0000

Current Zoning District: Residential Low Density-60 (RLD-60),
Commercial Office (CO),
Commercial Community/General-1 (CCG-1), &
Commercial Community/General-2 (CCG-2)

Proposed Zoning District: Planned Unit Development

Current Land Use Category: Community General/Commercial &
Low Density Residential

Proposed Land Use Category: Community General/Commercial

Planning District: Southeast, District 3

Applicant/Agent: Paul Harden
201 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner(s): Arthur Wayne Aguilar
A.C.C. Advanced Coating & Caulking, Inc.
P.O. Box 16001
Jacksonville, Florida 32245

Tracey E. Moore & Troy J. Lukkarila
3823 Zion Road
Jacksonville, Florida 32207

Ronald W. Duerr & Sherry Duerr
722 Oaks Field Drive
Jacksonville, Florida 32211

Libby Jarvinen
The Estate of John T. Hunter
3114 Heatherhill Drive SE
Huntsville, Alabama 35802

Geoff W Koch
Clean Car Wash Emerson, LLC.
129 Outlook Drive
Ponte Vedra, Florida 32081

Ersell Reed
Southside Refuge Church of Our Lord Jesus
Christ of Apostolic Faith, Inc.
P.O. Box 5816
Jacksonville, Florida 32207

Staff Recommendation:

APPROVE with CONDITIONS

GENERAL INFORMATION

Application for Planned Unit Development **2018-562** seeks to rezone approximately 2.10 acres of land from Residential Low Density-60 (RLD-60), Commercial Office (CO), Commercial Community/General-1 (CCG-1), & Commercial Community/General-2 (CCG-2) to Planned Unit Development (PUD). The rezoning to PUD is being sought so that the property can be developed with a Wawa gas station and convenience store. Other uses allowed in the PUD are consistent with uses in the CCG-1 and CCG-1 Zoning Districts. Maximum lot coverage of the site with buildings and structures will be 5,636 square feet. The proposed site plan shows sixteen (16) pump stations and a convenience store with outside seating facing Emerson Street.

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) and Low Density Residential (LDR) 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. However, there is a companion Application for Small-Scale Semi-Annual Land Use Amendment to the Future Land Use Map Series 2018-5296-C (Ordinance 2018-561) that seeks to amend the portion of the site that is within the LDR land use category to Community/General Commercial (CGC). Staff is recommending that application for Small-Scale Land Use Amendment to the Future Land use Map Series 2018-5296-C be approved. 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. A description of the category is noted below.

(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 categories as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR) and Community General Commercial (CGC). There is a companion Application for Small-Scale Semi-Annual Land Use Amendment to the Future Land use Map Series 2018-5296-C (Ordinance 2018-561) that seeks to amend the portion of land that is within the LDR land use category to CGC.

This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element:

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.
- 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.
- Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.
- 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.
- 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.
- 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.
- 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.

Transportation Element:

- Policy 2.3.6 The City shall require that access to newly developed and redeveloped parcels, other than parcels zoned for or used for single-family dwellings, with frontage along two or more roadways be limited in order to protect performance of the City's transportation network. Access shall be limited to one per roadway with access from the higher functional class roadway or roadway with the higher average daily traffic being limited to right turn-in/right turn-out only. However, exemptions from this Policy may be granted by the Traffic Engineering Division and the JPDD where factors justify the exemptions. Factors to be taken into consideration for exemptions may include, but are not limited to: parcel size and road frontage; projected trip generation of a development; safety and congestion hazards; potential for delay on adjacent road facilities; environmental degradation; adequate traffic circulation; and/or elimination of existing access points.

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 should be carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Airport Environment Zone

The site is located within the 300 foot Height and Hazard and Military School Zones for the Jacksonville Naval Air Station. 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 656.1005.1(d).

Requirements for areas within Height and Hazard Zones and Military Influence Zones are specified in the following FLUE policies:

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 City Development Number is 9629.000. The Mobility Number is 97201.0. The CCAS Number is 97201.1. Applications were approved on June 29, 2018.

The Mobility Fee of \$75, 891 must be paid prior to building permit sign off by CMMSO and the CCAS application must be converted to a CRC application prior to permit sign off.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to be used for commercial development.

(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 subject properties will be developed in accordance with Part 12 Landscaping Regulations of the Zoning Code.

The treatment of pedestrian ways: Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

Traffic and pedestrian circulation patterns: Vehicular access to the subject property shall be by way of Emerson Street and Spring Park Road with final review and approval of the City's Traffic Engineer. No access will be allowed on Zion Road.

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:

(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 type, number and location of surrounding external uses: The proposed development is located in an area where residential and commercial uses exist. A gas station with convenience store is a commercial use that is practical for Emerson Road at this intersection with Spring Park Road.

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(s)
North	CGC	CCG-1/2	Commercial Building & Shopping Center
South	RPI/LDR	CRO/RLD-60	Vacant forested lot & Single –Family Dwellings
East	CGC/LDR	CCG-1/RLD-60	Commercial Building & Single Family Dwellings
West	CGC	CCG-1	Church & Internet Café

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: Staff addresses concerns with the proposed signage in the conditions of this report. Zion Road,

which wraps around the subject property on the southern and eastern sides, is an access road for five residential lots located in a Residential Zoning District. Staff proposes wall signs not be illuminated if they face Zion Road. Staff also would like to limit the sign height of the sign on Spring Park Road as it is a lower speed two-lane road.

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category and is a Wawa gas station with 16 pumps and a convenience store. The PUD is appropriate at this location because it is located along a commercial corridor and well-travelled State Road.

The existing residential density and intensity of use of surrounding lands: The redevelopment of this site will consolidate uses on this corner. Currently the 2.1 acres of land is used for a variety of uses, from a church, a car wash, single-family dwellings, and a window contractor. The subject properties are significantly out of compliance with current landscaping and parking codes in Ch. 656. The redevelopment will bring the site into compliance and provide a singular use to the corner and decreasing the intensity and variety of uses.

The availability and location of utility services and public facilities and services: The developer will bring City water and sewer to the site providing an opportunity for the single family dwellings in the area not on central services to hook-up to the system.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: Vehicular access to the subject property shall be by way of Emerson Street and Spring Park Road with final review and approval of the City's Traffic Engineer. No access will be allowed on Zion Road.

(7) Usable open spaces plazas, recreation areas.

The proposed PUD is not residential use therefore does not need open space or recreational areas.

(8) Impact on wetlands

There are no wetlands on this property.

(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 September 6, 2018, 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 2018-562 be **APPROVED with the following exhibits:**

1. The original legal description dated June 5, 2018.
2. The original written description dated July 13, 2018.
3. The original site plan dated May 7, 2018.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2018-562 be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. Vehicular access from the site to Zion Road shall be prohibited.
2. The illuminance of the sign shall be measured with an illuminance meter set to measure foot candles, accurate to at least two decimals. Illuminance shall be measured with the sign off, and again with the sign displaying a white image for a full color capable sign, or a solid message for a single color sign. All measurements shall be taken perpendicular to the face of the sign at a distance calculated as the square root of the area of the sign multiplied by one hundred (100).

3. The difference between the off and solid message measurements using the above criteria shall not exceed 0.3 foot candles.
4. The sign shall be equipped with a sensor or other device that automatically determines the ambient illumination, and the sign shall be programmed to automatically dim according to ambient light conditions, or if such automatic programming is unavailable, the sign must include the technological capability to adjust the illumination to comply with the 0.3 foot candle measurement at all times.
5. Wall signs facing Zion Road shall not be lit internally or externally.
6. Ground signs along Spring Park Road shall not exceed 15 feet in height and 75 square feet in area.
7. The developer shall obtain a City Right-of-Way permit to remove existing driveways along Zion Road and install 2 inch caliper evergreen trees every 25 feet along the ROW and re-sod removed driveway areas.
8. 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.