

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-166 TO
PLANNED UNIT DEVELOPMENT

APRIL 4, 2019

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 **2019-166** to Planned Unit Development.

Location: 17110 Brandy Branch Road

Real Estate Number(s): 000884 0000

Current Zoning District: Planned Unit Development (PUD 2017-801)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Agriculture-IV (AGR-IV)
Community General Commercial (CGC)

Planning District: Southwest, District 4

Applicant/Agent: Tim Adkinson, P.E.
Adkinson Engineering, P.A.
4639 Trevor Creek Drive South
Jacksonville, FL 32257

Owner: Love's Travel Stops & Country Stores, Inc.
10601 North Pennsylvania Avenue
Oklahoma city, OK 37120

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2019-166** seeks to rezone approximately 17.21 acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD) for a truck stop with filling stations, convenience store, restaurant, truck scales and service garage for minor and major repairs. The current PUD, which was approved in 2017 lists the same uses, however the property owner is increasing the square footage of all buildings from 21,263 square feet to 38,615 square feet. A rezoning is required to increase the square footage approved in the PUD.

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 both the Agriculture-IV (AGR-IV) and Community General Commercial (CGC) functional land use categories 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. According to the land use category description, AGR-IV is a category primarily intended to provide for agriculture uses and to preserve the existing rural character of outlying areas of the City. However, truck stops and supporting uses are allowed within the AGR-IV land use category as a secondary use. The CGC land use category is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City. The proposed truck stop and supporting uses are allowed as a primary use within the CGC land use category. The proposed PUD application permitted uses lists typically supporting uses of truck stops including the sale of gas, oil and diesel; maintenance of trucks and trailers, parking spaces; restaurant and convenience store, among others.

The site is located at the intersection of New Brandy Branch Road (a local roadway), US 301 (a principle arterial roadway) and Interstate 10; both US 301 and I-10 do not provide access to the property. The three separate entrances to the site are proposed along New Brandy Branch Road. The site is surrounded by primarily agriculture lands; however, there are several large lot single-family homes across New Brandy Branch Road and adjacent to the subject property. Measures should be taken to ensure protection of negative impacts on these residential parcels. The proposed three separate entrances off of New Brandy Branch Road should be carefully evaluated and potentially reconsidered to avoid intrusion to and ensure protection of the adjacent residential parcels. Policies 2.2.4, 3.1.3 and 3.1.12 of the FLUE should be considered. 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): Agriculture-IV (AGR-IV) and Community General Commercial (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 (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 1.1.10 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 innovate 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 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.

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.

Recreation and Open Space Element Policy 2.2.1 The City shall require that all new non-residential land uses, except in the Central Business District, provide a minimum of 10% of the property in open space.

Transportation Element Policy 2.3.8 The City shall encourage, through the development review process, development that will minimize external trip generation through the integration of land uses by requiring such measures as interconnecting land uses, sharing access drives and off-street parking areas, and encouraging planned unit developments. The City's Land Development Regulations shall be reviewed as necessary to enforce this policy.

Transportation Element Policy 2.3.9 The City shall encourage, through the development review process, the interconnections of land use that reduce the need for external trip generation and encourage alternative methods of movement. The City's Land Development Regulations shall be revised as necessary to enforce this policy.

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

Measures should be taken to ensure protection of negative impacts on the adjacent residential parcels. The proposed three separate entrances off of New Brandy Branch Road should be carefully evaluated and potentially reconsidered to avoid intrusion to and ensure protection of the adjacent residential parcels. Policies 2.2.4, 3.1.3 and 3.1.12 of the FLUE as listed below, should be considered.

FLUE Policy 2.2.4 Maintain existing stable neighborhoods through coordinated rehabilitation and conservation action by the Building Inspection Division and Planning and Development Department. Protect residential areas from encroachment by incompatible land uses through proper zoning, and from through or heavy traffic by use of buffers and other mitigating measures.

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 3.1.12 The City shall protect residential neighborhoods from cut-through non-residential traffic by providing appropriate traffic control mechanisms (e.g. cul-de-sacs, signalization, and four-way stop signs).

(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.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a commercial 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 streetscape: The proposed development is immediately adjacent to US 301 (principle arterial roadway) and New Brandy Branch Road (local roadway). Access to the site is proposed from New Brandy Branch Road.

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: No recreational areas are proposed as part of the PUD. The proposed open space is limited to areas in relation to the open retention on the site plan.

The use of existing and proposed landscaping: The proposed landscaping will be developed in accordance with Part 12 of the Zoning Code.

The treatment of pedestrian ways: Pedestrian access will be provided in accordance with the 2030 Comprehensive Plan.

Traffic and pedestrian circulation patterns: Three vehicular access points are proposed to the site from New Brandy Branch Road.

The use and variety of building groupings: One commercial structure and associated gas canopies are proposed as part of this PUD.

The use and variety of building sizes and architectural styles: No information as to the variety of building sizes and architectural styles was submitted as part of this PUD.

The use and variety of materials: No information about proposed materials was submitted as part of this PUD.

The form of ownership proposed for various uses: Site will be developed with a single use.

(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 site is currently undeveloped with no formal points of access onto the property.

The type, number and location of surrounding external uses: The proposed development is located in an area that features a mixture of single-family residential to the north and west, undeveloped areas, and commercial uses to the south of Interstate 10. The proposed truck stop is compatible with the existing commercial development to the south and the location is appealing due to its location immediately adjacent to Interstate 10 and US 301.

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

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use</u>
North	AGR-IV	AGR	Undeveloped
South	AGR-II/CGC	AGR/CCG-1/CCG-2	Interstate 10
East	CGC	CCG-1	Undeveloped
West	AGR-III	AGR	Single-family residential

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 contains several conditions that are intended to reduce any negative impact the proposed development will have on the residential dwellings to the north. **The proposed PUD has incorporated all the following conditions into the written description.**

1. Ground Signage along New Brandy Branch Road shall be limited to one (1) monument-style sign, not to exceed twenty (20) feet in height.
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. The maximum light pole height in all parking areas should not exceed thirty (30) feet. 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. The developer shall mount light fixtures on canopies so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy.
 4. Along the western property line an eight (8) foot high, 100% opaque vinyl fence and an evergreen screen consisting of 2.5 inch caliper, 25 gallon, Florida No. 1 tree spaced 10 feet on center, shall be planted. Permitted trees include Southern Magnolia, *Magnolia grandiflora*; Southern Red Cedar, *Juniperus silicola*; Nellie Stevens Holly, *Ilex 'Nellie R. Stevens'* and Leyland Cypress, *Cupressocyparis leylandii*.
 5. Along the northern property line for a distance of 500 feet from the west property line excluding any driveway openings, (fence and trees shall be setback 15 feet from the right of way) an eight (8) foot high, 100% opaque vinyl fence and an evergreen screen consisting of 2.5 inch caliper, 25 gallon, Florida No. 1 tree spaced 10 feet on center, shall be planted along the northern property line. Permitted trees included Southern Magnolia, *Magnolia grandiflora*; Southern Red Cedar, *Juniperus silicola*; Nellie Stevens Holly, *Ilex 'Nellie R. Stevens'* and Leyland Cypress, *Cupressocyparis leylandii*.

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category and the secondary use of the AGR-IV land use category. The PUD is appropriate at this location because it provides easy access for vehicular and truck traffic to Interstate 10 and US 301.

The location of various proposed uses within the proposed PUD and the degree of compatibility of such uses with each other and with surrounding uses: The proposed uses for the site are related to the sites proposed development as a truck stop. The commercial uses will be separated from the adjacent commercial via a proposed buffer that will be used as dry retention for the site.

The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD: Landscape buffering will be provided along the south side of New Brandy Branch Road and the western property line to screen the adjoining residential uses from the proposed development.

The availability and location of utility services and public facilities and services: Water and Sewer will be provided by the Town of Baldwin Utilities. Electricity will be provided by JEA

The amount and size of open spaces, plazas, common areas and recreation areas: No open space is proposed as part of this development

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: Access to the site will be from the adjoining local roadway (New Brandy Branch Road) via three access points. No additional access will be provided from the adjoining principle arterial roadway (US 301).

(7) Usable open spaces plazas, recreation areas.

No recreational space is proposed as part of this development. The only open space proposed is proposed in conjunction with the dry retention areas of the site.

(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, the written description states “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 March 22, 2019, 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 2019-166 be **APPROVED with the following exhibits:**

1. The original legal description dated February 4, 2019.
2. The revised written description dated March 26, 2019.
3. The original site plan dated February 12, 2019.



Aerial of subject property



Subject Property

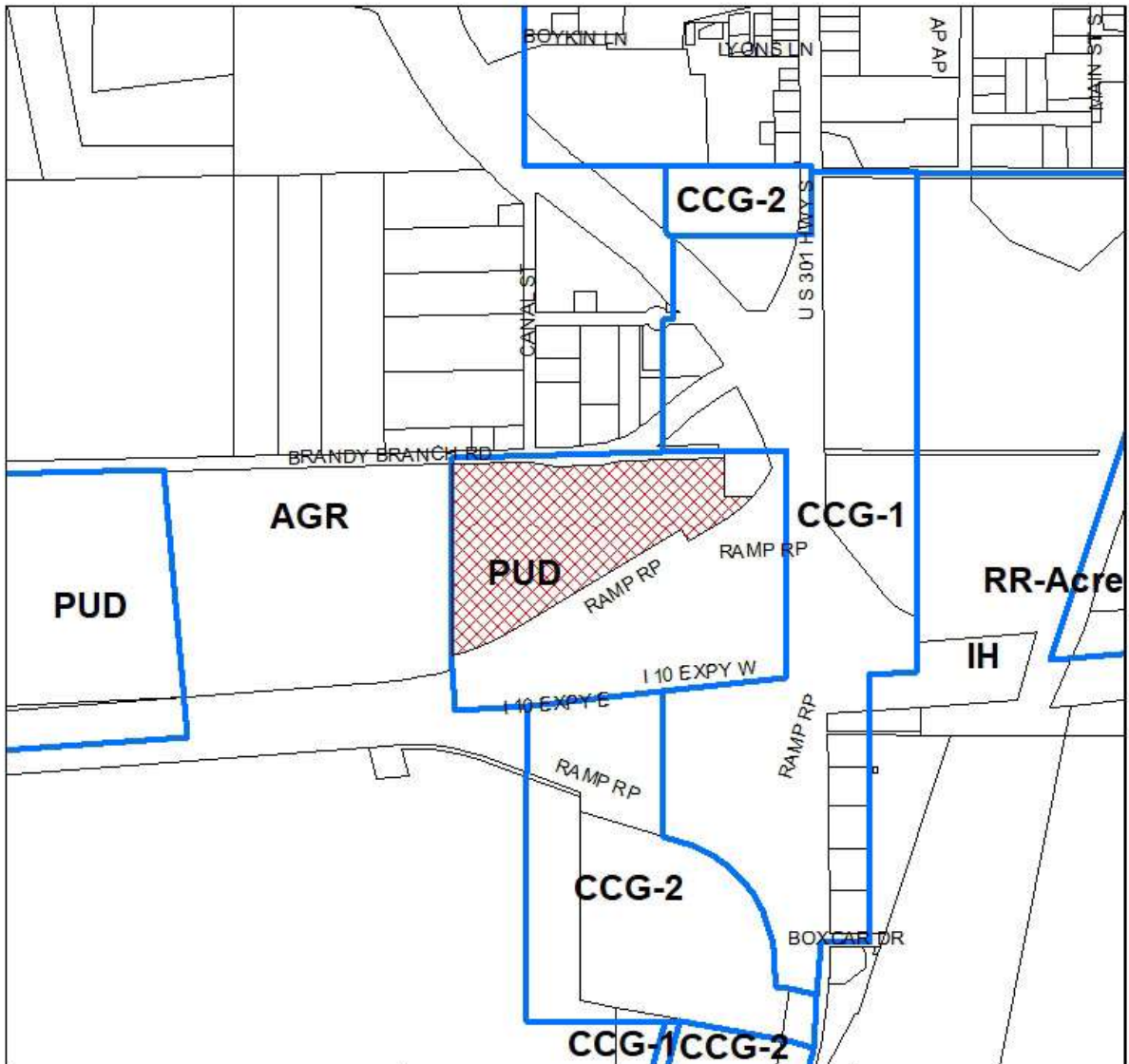




Adjoining property to the west



Adjoining property to the north (across New Brandy Branch Road)



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>	<p>0 250 500 1,000</p> <p>Feet</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2019-0166</p>	<p>TRACKING NUMBER</p> <p>T-2019-2238</p>	<p>COUNCIL DISTRICT:</p> <p>12</p> <p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>