

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0190 TO
PLANNED UNIT DEVELOPMENT

APRIL 18, 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 **2019-0190** to Planned Unit Development.

Location: 9501 Normandy Boulevard

Real Estate Number(s): 009067 0100

Current Zoning District: Commercial Community General-2 (CCG-2)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Community General Commercial (CGC)

Planning District: Northwest, District 5

Applicant/Agent: Chris Hagan, Gilmore Hagan Partners
800 W. Monroe Street
Jacksonville, FL 32202

Owner: Malcom Willis, Willis Contractors LLC
9501 Normandy Boulevard
Jacksonville, FL 32221

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2019-0190** seeks to rezone approximately 3.46 acres of land from CCG-2 to PUD. The rezoning to PUD is being sought in conjunction with an application for Land Use Amendment (LUA 2019-0189) which seeks to fix a discrepancy between the current commercial zoning of the property and the underlying low-density residential future land use category. The PUD is also being sought in order to legitimize a use of the property as a storage facility for semi-truck tractors and trailers, and reduce the buffering

normally required for such a use. The property has been used as such for several years, but the storage of semi-trailers is not an allowed use under standard CCG-2 zoning, and the outside storage of equipment and vehicles normally requires a substantial buffer when adjacent to residential districts.

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 request is to allow for the continued use of a truck and open storage on the property and to bring it into compliance with zoning code. The business is currently in a LDR land use category and CCG-2 zoning district. The proposal is to change the land use of LDR to CGC under a pending land use amendment application (Ordinance 2019-189) and to rezone the property from CCG-2 to PUD. The property is located in the Suburban Development Area.

(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). There is a companion application for Small-Scale Land Use Amendment to the Future Land use Map Series L5324-18C (Ordinance 2019-0189) 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:

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.

The proposed rezoning will maintain an existing use without expansion, and therefore discourages the proliferation of urban sprawl. It is therefore compatible with the above objective.

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.

The proposed Planned Unit Development is served by centralized water and wastewater services per the attached JEA letter dated January 22nd, 2019, and is therefore compatible with the above policy.

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.

The proposed rezoning will enhance the viability of a non-residential area by legitimizing an existing use, and is therefore compatible with the above goal.

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.

The proposed rezoning will enhance the viability of an existing commercial use, and is therefore compatible with the above objective.

However, the proposed rezoning to Planned Unit Development is **not** consistent with the following goals, objectives, and policies of the 2030 Comprehensive Plan:

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.

The proposed PUD rezoning will not result in a land use that is complementary to the surrounding uses, and does not contain any perceptible innovation in site planning or design. The submitted written description seeks to reduce buffers between uncomplimentary uses without any compensation for those reductions, and contains no provisions for site improvement over the present state of the property.

FLUE Policy 1.1.16 Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:

1. Creation of like uses;
2. Creation of complementary uses;
3. Enhancement of transportation connections;
4. Use of noise, odor, vibration and visual/ aesthetic controls; and/or
5. Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.

The Planned Unit Development is proposing a 5 foot wide landscape area between the truck parking and the single family dwellings to the north. The proposed buffer will not mitigate noise, odor, vibration, or aesthetic effects of the use on the surrounding area. **Staff recommends that the development meet the buffering standards typically required between uncomplimentary uses per Sec. 656.1216 of the Zoning Code as a condition of approval. If approved as conditioned, the buffer will be ten feet in width, with a six foot high, 85% opaque screen and a tree every 25 feet along the property line adjacent to residential uses or zoning.**

(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. Because the use existed prior to April 1, 1991, it is considered “grandfathered” into the CMMSO until such time as the use is changed or expanded.

(3) Allocation of residential land use

There is no residential component within the proposed PUD.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors with specific reference to the following:

The particular land uses proposed and the conditions and limitations thereon: The Planned Unit Development is proposing permitted and permissible uses by exception uses found in the CCG-1 Zoning District with the additional use of truck parking. As these uses are typically found in one zoning district, internal compatibility is achieved.

(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 along across the street from Herlong Recreational Airport (HEG). The adjacent property to the west was recently rezoned to a mixed use PUD (2019-0007) which contains limited commercial uses, townhomes and single family dwellings.

The Comprehensive Plan and existing zoning on surrounding lands: The property is surrounded by a mixture of commercial and residential uses. Currently, the parcels east and west of the subject site are undeveloped. The parcel to the east was approved with its own PUD rezoning earlier this year (2019-0007) and provides for a mixture of commercial and residential uses, both of which will border the subject site. The properties north of the subject site are part of a larger residential subdivision, which was entitled in 2001 and built out from 2004-2005. The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	PUD (01-615)	Single-family subdivision
South	PBF	PBF-3	Recreational Airport
East	LDR	RR-Acre	Undeveloped
West	MDR/CGC	PUD (19-07)	Undeveloped

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category proposed by the companion application for Land Use Amendment, which will also serve to allow the existing use of the property to continue.

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 within the PUD are pre-existing, but potentially incompatible with the surrounding residential uses. The written description is proposing a buffer which is less than is required in the Zoning Code. **Staff recommends the application be conditioned to meet the landscaping and parking requirements of the Zoning Code.**

The availability and location of utility services and public facilities and services: The proposed PUD will use existing utility services to the site, and will create little additional impact on public facilities in the area because it is an existing use.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The proposed continued use of the property as a storage facility for semi-tractors and trailers will benefit from the access to Normandy Boulevard, which is identified with a Functional Highway Classification of Principal Collector.

(7) Usable open spaces plazas, recreation areas.

The project has no residential component, and is therefore not required to provide any open space, plazas, or recreation 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. 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.

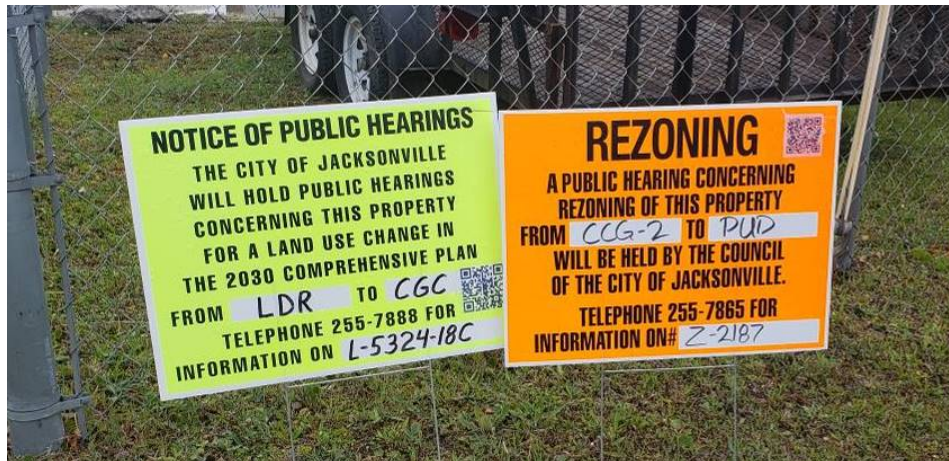
The site will be developed in accordance with Part 6 of the Zoning Code.

(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 April 1st, 2019, 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 2019-0190 be **APPROVED with the following exhibits:**

1. The original legal description dated March 12, 2019
2. The revised written description dated February 28, 2019.
3. The original site plan dated February 26, 2019

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2019-0190 be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. Landscaping within the development must meet the standards of Sec. 656.1216 and Sec. 656.607 of the Zoning Code.



Aerial view of subject property



View of subject property from Normandy Blvd.



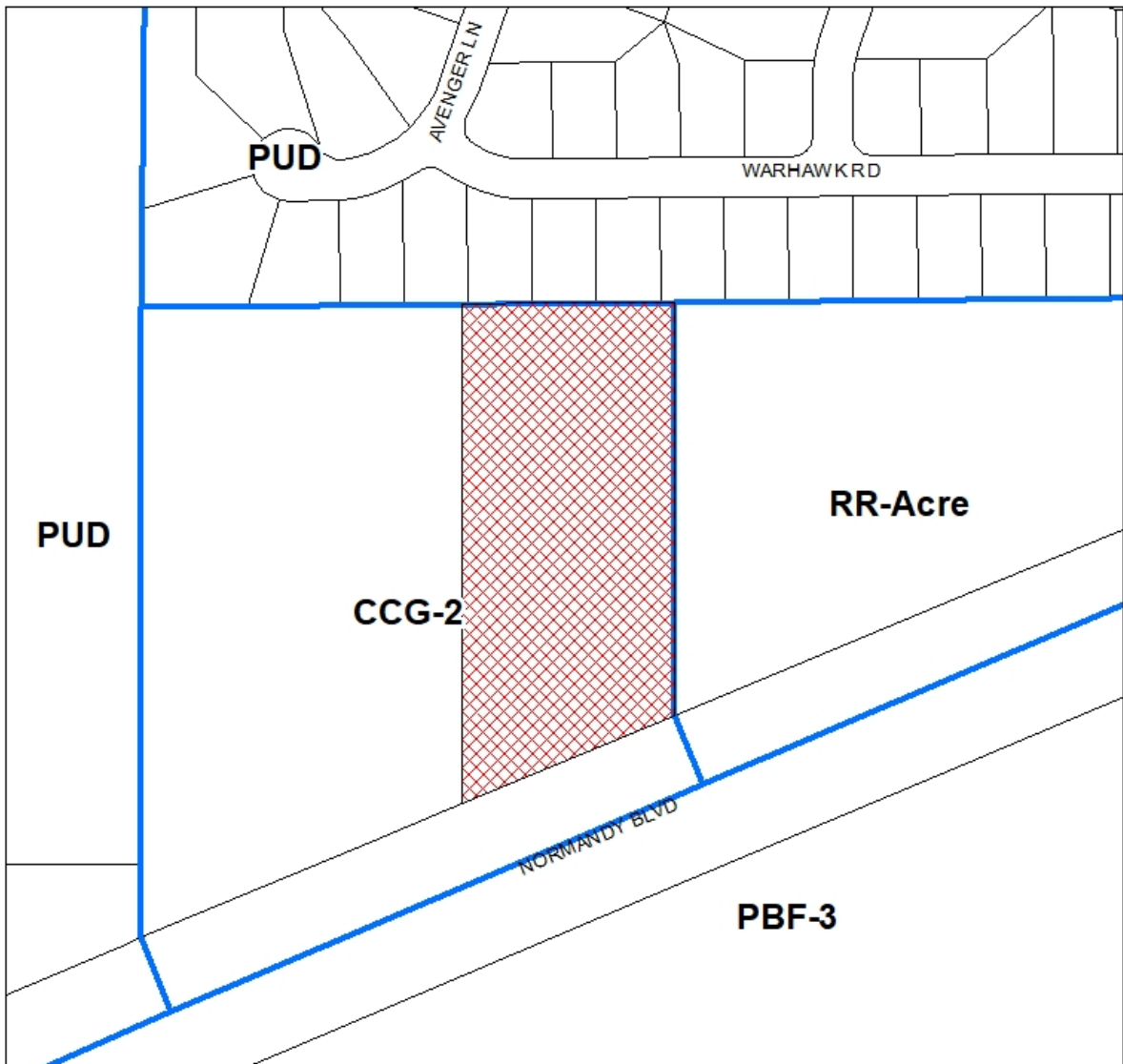
View of subject property from Normandy Blvd.



View of trucks from residential subdivision to the north



View of trucks from residential subdivision to the north

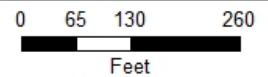
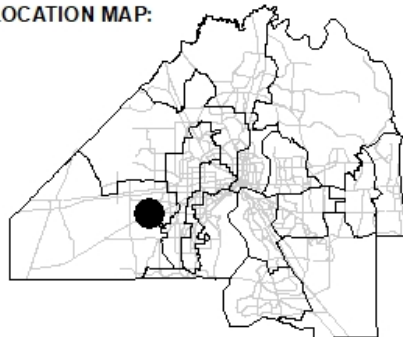


REQUEST SOUGHT:

FROM: CCG-2

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2019-2187

EXHIBIT 2
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