

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2013-644 TO**

**PLANNED UNIT DEVELOPMENT**

**OCTOBER 10, 2013**

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 **2013-644** to Planned Unit Development.

<i><b>Location:</b></i>	5142 Harlow Road between 103 <sup>rd</sup> Street and Como Road
<i><b>Real Estate Number(s):</b></i>	014383-0000
<i><b>Current Zoning District:</b></i>	Public Building Facility-2 (PBF-2)
<i><b>Proposed Zoning District:</b></i>	Planned Unit Development (PUD)
<i><b>Current Land Use Category:</b></i>	Public Building Facility (PBF)
<i><b>Proposed Land Use Category:</b></i>	Community General Commercial (CGC)
<i><b>Planning District:</b></i>	Southwest - 4
<i><b>City Council District:</b></i>	The Honorable Reginald Brown, District 10
<i><b>Applicant/Agent:</b></i>	Paul Harden 501 Riverside Avenue, Suite 901 Jacksonville, Florida 32202
<i><b>Owner:</b></i>	The Episcopal Church in the Diocese of Florida, Inc. 325 Market Street Jacksonville, Florida 32202
<i><b>Staff Recommendation:</b></i>	<b>APPROVE WITH CONDITIONS</b>

**GENERAL INFORMATION**

Application for Planned Unit Development **2013-644** seeks to rezone approximately 5.66 acres of land from PBF-2 to PUD. The rezoning to PUD is being sought so that the property can be

developed with a convenience store, filling station and business and professional offices. A church and classroom building exist on the property.

### **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 Public Building Facility (PBF) 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 Land Use Amendment to the Future Land Use Map Series 2013C-022 (Ordinance 2013-643) that seeks to amend the portion of the site that is within the PBF 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 2013C-022 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.

Community General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. All uses should 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).

Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor. In addition, all development on sites which abut a Low Density Residential and/or Rural Residential land use designation shall provide the following: A scale transition as defined and illustrated in this element. When developing mixed uses, residential uses shall be arranged on

the site to provide a use transition between new non-residential uses and the protected abutting residential land uses to the greatest extent feasible. Elements such as yards, open space, at-grade parking and perimeter walls shall be arranged, designed and landscaped in a manner compatible with adjacent areas to serve as a visual buffering element.

The uses provided herein shall be applicable to all CGC sites within the Urban Area.

***Principal Uses:*** Commercial retail sales and service establishments including auto sales; Restaurants; Hotels and motels; Offices, Business and Professional Offices including veterinary offices; Financial institutions; Multi-family dwellings; Live/Work Units; Commercial recreational and entertainment facilities; Auto repair and sales, mobile home/motor home rental and sales, boat storage and sales; Off street parking lots and garages and Filling stations.

The development characteristics provided herein shall be applicable to all CGC sites within the Urban Area. Developments on sites greater than 30 acres should incorporate urban development characteristics as defined in this element. Residential uses shall not be permitted on the ground floor abutting roads classified as arterials or higher on the Functional Highway Classification Map. Developments shall, to the greatest extent possible, be massed along the highest abutting classified road on the Functional Highway Classification Map. Uses shall be sited in a manner to promote internal pedestrian and vehicle circulation and ease of access between abutting uses and sites and to limit the number of driveway access points on roads classified as arterials on the Functional Highway Classification Map. To promote a more compact, pedestrian-friendly environment, off street parking shall be located behind or to the side of buildings to the greatest extent possible. Structured parking is encouraged, provided it is integrated into the design of the overall development and is compatible with surrounding neighborhoods.

*(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): Public Building Facility (PBF). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2013C-022 (Ordinance 2013-643) that seeks to amend the portion of land that is within the PBF 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 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.

F.L.U.E. 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.

F.L.U.E. 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.

F.L.U.E. Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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.

*(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 treatment of pedestrian ways: Pedestrian walks will be required to connect the uses within the PUD.

The use and variety of building setback lines, separations, and buffering: The written description includes setbacks from the CCG-1 Zoning District which ensures compatibility.

The use and variety of building sizes and architectural styles: The written description does not provide for specific architectural guidelines of the proposed buildings. The lack of guidelines will not contribute to internal compatibility.

The separation and buffering of vehicular use areas and sections of vehicular use areas: The written description indicates that development will comply with the landscape regulations of the Zoning Code, therefore vehicle use areas will be buffered and screened with landscaping.

The particular land uses proposed and the conditions and limitations thereon: The written description includes restrictions on outside sale and display and requires some uses to be approved by a zoning exception. These two limitations will ensure compatibility among uses.

Compatible relationship between land uses in a mixed use project: The written description lists uses that are found in the CCG-1 Zoning District. These uses have been determined to be 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 on 103<sup>rd</sup> Street which is a major commercial corridor. Along this corridor there are a variety of uses, including multifamily, automobile repair, offices, self-storage and commercial

shopping centers. Commercial development at this location complements and is compatible with the surrounding uses.

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	LDR	RLD-60	Single family dwellings
	MDR	RMD-D	Multi-family dwellings
	CGC	CCG-1	Convenience store
South	CGC	CCG-2	Undeveloped
East	CGC	PUD (05-1439)	Undeveloped (proposed condominiums)
	CGC	PUD (04-1050)	Self storage facility
	PBF	PBF-1	Duval County Library
West	LDR	RLD-60	Single family dwellings
	RPI	CO	Single family dwellings
	CGC	CCG-2	Automotive repair, real estate office

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 typical design of filling stations with tall canopies, open vehicle use areas without tree plantings and 24 hour operation can allow for excessive glare from light fixtures. There are adjacent residential dwellings to the west of the subject property. It is important to protect these dwellings from light trespass from the filling station. The department recommends the following language from the Jacksonville Design Guidelines and Best Practices Handbook.

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.

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.

The written description indicates the development will comply with Part 12 Landscape Regulations of the Zoning Code. An uncomplementary buffer consisting of a six foot high visual barrier, a ten foot wide buffer and a tree every 25 feet is required where the development abuts residential uses or residentially zoned lands.

*(6) Intensity of Development*

The proposed development is consistent with the CGC functional land use category with commercial and office uses. The PUD is appropriate at this location because it will support the existing offices, commercial and service establishments and residential uses in the area.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The proposed PUD fronts on 103<sup>rd</sup> Street, which is a FDOT maintained roadway. The FDOT memorandum dated September 27, 2013, recommends an analysis to determine if a westbound right turn lane is necessary. Any driveway connections will be reviewed and approved by the FDOT.

*(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 October 10, 2013, 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 **2013-644** be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated July 16, 2013.
2. The subject property shall be developed in accordance with the original written description dated August 16, 2013.
3. The subject property shall be developed in accordance with the original site plan dated July 16, 2013.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated September 19, 2013 or as otherwise approved by the Planning and Development Department.
5. 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.
6. 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.

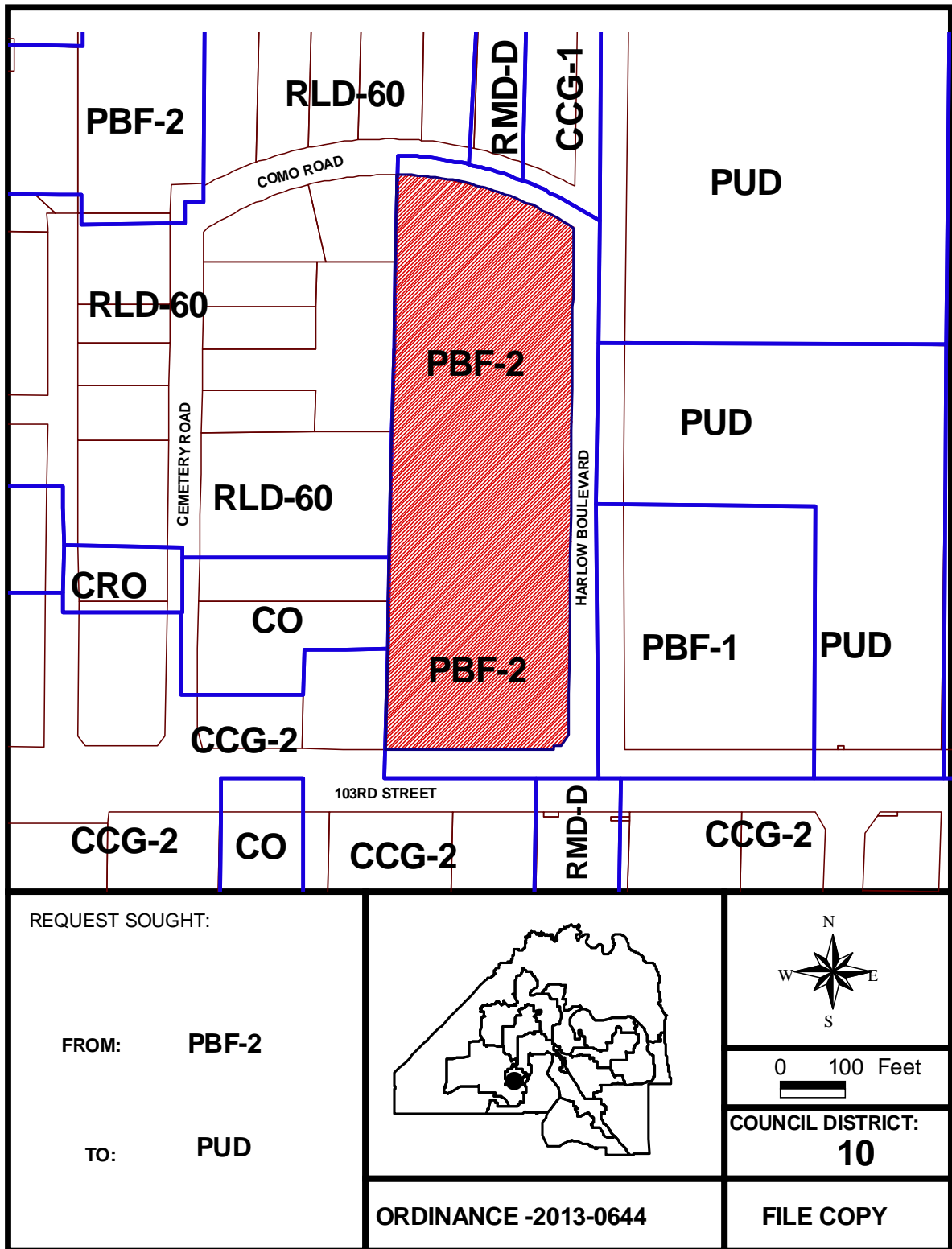


Existing site











September 19, 2013

## MEMORANDUM

TO: Bruce Lewis, City Planner Supervisor  
Planning and Development Department

FROM: Lisa King  
Traffic Technician Senior

Subject: **Racetrac Market PUD**  
**PUD R-2013-644**

Upon review of the referenced application, and based on the information provided to date, the Development Services Division has the following comments:

1. 103<sup>rd</sup> Street is a FDOT maintained roadway. Number, design & location of accesses to 103<sup>rd</sup> are subject to FDOT review and permit approval.
2. Per communication with the Planning & Development Department, three (3) driveways will be permitted on Harlow Bv. The first driveway on Harlow Bv (closed to 103<sup>rd</sup> St) creates a turning conflict with the driveway across the street (to library). Therefore, the driveway will be designed for a right in right out movement only. There will be no access permitted to Como Rd.
3. Driveways shall be designed as Urban Class III driveways as outlined in Section 2 of the Land Development Procedures Manual.
4. Provide sidewalks on frontages in accordance with the 2030 Comprehensive Plan and Section 2.2 of the Land Development Procedures Manual.
5. Signs, fences, walls and landscaping shall be located so that horizontal line of sight is not blocked at intersections, as outline in FDOT Design Standards Index 546.
6. Parking lots shall comply with Section 656.607 of the current Zoning Code for, but not limited to, space dimensions, backup/drive aisle & sidewalk widths.

**Please understand that this does not constitute approval of the design elements.** Approval of the design elements (driveway location, dimensions, roadway geometry, traffic circulation, etc.) shall be facilitated through the 10-set and 10-set review process. If you have any questions regarding the comment outlined above, please call me directly at 255-8586.





## *Florida Department of Transportation*

2198 Edison Avenue  
Jacksonville, FL 32204

**RICK SCOTT**  
GOVERNOR

**ANANTH PRASAD, P.E.**  
SECRETARY

September 27, 2013

Bruce Lewis  
City Planner Supervisor  
City of Jacksonville  
Planning and Development Department  
214 North Hogan Street, 3<sup>rd</sup> Floor  
Jacksonville, Florida 32202

### **RE: Racetrac Market-103<sup>rd</sup> Street at Harlow Boulevard (2013-0644)**

Dear Mr. Lewis:

The Florida Department of Transportation has reviewed the Racetrac Market-103<sup>rd</sup> Street at Harlow Boulevard for impacts to the state facilities and we offer the following recommendations and comments for your consideration in reviewing this submittal package:

**Project Description:** The applicant for the RaceTrac Market is proposing to rezone approximately 5.66 acres from Public Buildings and Facilities-1 (PBF-1) to Planned Unit Development (PUD) to construct a RaceTrac Market with twenty four fueling positions. Also, proposed to be constructed is an additional 17,280 square foot retail building to the rear of the RaceTrac.

**Location:** The subject property is located on the northwest quadrant of SR-134/103<sup>rd</sup> Street and Harlow Boulevard approximately one quarter mile east of Interstate I-295.

**Estimated Trips:** The FDOT estimated the trips by generating twenty four fueling positions of Gasoline Service Station with Convenient Market (ITE code 945) and 17,280 square feet of Shopping Center (ITE code 820). A 66% pass-by reduction was subtracted from the Gasoline Service Station with Convenient Market Land Use portion. By using the ITE Trip Generation 8<sup>th</sup> Edition the FDOT estimates 3,888 daily trips with 337 PM peak hour trips.

**LOS & Impacts:** Following a preliminary review of this submittal, the trips associated with this development will impact SR-134/103<sup>rd</sup> Street. The City of Jacksonville Road Link Status Report (Dated February 5, 2013), shows the following capacity on SR-34/103<sup>rd</sup> Street:

- SR-134/103<sup>rd</sup> Street, from I-295 to Harlow Boulevard, with an adopted LOS standard of "D" (This segment has a capacity of 53,100 daily trips), is currently operating at LOS "C" (The year 2011 count was 35,500 daily trips. There are 17,600 daily trips available with 66.85% capacity used).
- SR-134/103<sup>rd</sup> Street, from Harlow Boulevard to Blanding Boulevard, with an adopted LOS standard of "D" (This segment has a capacity of 53,100 daily trips), is currently operating at LOS "C" (The year 2011 count was 30,500 daily trips. There are 22,600 daily trips available with 88.51% capacity used).

**FDOT Comments:** The Site Plan shows one (1) proposed driveway connection to SR-134/103<sup>rd</sup> Street and three (3) proposed driveway/access connections to Harlow Boulevard. The FDOT recommends an analysis to determine if a westbound right turn lane is necessary on SR-134/103<sup>rd</sup> Street. Also, a driveway permit is required. For

permitting inquiries, please contact the FDOT Area Permit Engineer, Jeff Scott by calling (904)360-5605 or e-mail: [Jeffrey.Scott@dot.state.fl.us](mailto:Jeffrey.Scott@dot.state.fl.us)

Thank you for coordinating the review of this PUD application with FDOT. If you have any questions, please do not hesitate to contact me.

Sincerely,

Thomas Hill, Growth Management Administrator  
Jacksonville Urban Office  
2198 Edison Avenue, MS 2812  
Jacksonville, FL 32204-2730  
Phone: (904)360-5664  
Email: [Thomas.Hill@dot.state.fl.us](mailto:Thomas.Hill@dot.state.fl.us)

Cc: David Lynch, FDOT  
Jeff Scott, FDOT