

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2015-208 TO
PLANNED UNIT DEVELOPMENT

APRIL 23, 2015

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 **2015-208** to Planned Unit Development.

Location: Southeast quadrant of Kernan Boulevard North and McCormick Road

Real Estate Number(s): 161020-0800

Current Zoning District: Residential Rural-Acre (RR-Acre)

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: Greater Arlington/Beaches, District 2

Planning Commissioner: Anthony Robbins

City Council District: The Honorable Bill Bishop, District 2

Applicant/Agent: Paul Harden, Esq.
Law Office of Paul Harden
501 Riverside Avenue
Jacksonville, Florida 32221

Owner: George H. Hodges
City National Bank of Florida – Trustee
P.O. Box 16771
Jacksonville, Florida 32245

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2015-208** seeks to rezone approximately 2.56 acres of land from RR-Acre to PUD. The rezoning to PUD is being sought so that the property can be developed with as a filling station, convenience store and car wash. Additional permitted uses include banks, commercial retail sales and service establishments, business and professional offices, the retail sale and service of beer and wine for on premises consumption in conjunction with a restaurant and the retail sale of beer and wine for off premises consumption.

The Greater Arlington/Beaches CPAC recommends denial of the application due to the inconsistent with the Wonderwood Connector Corridor Study, the JEA transmission lines do not allow for adequate landscaping to screen the site and the two access points will require a u-turn at the intersection to access the site.

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 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 Land Use Amendment to the Future Land Use Map Series 2014C-016 (Ordinance 2015-207) 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 2014C-016 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.

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 Suburban Area is intended to provide development in a nodal development pattern. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which located in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall be considered preferred locations for these uses.

The uses provided herein shall be applicable to all CGC sites within the Suburban 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; Filling stations; and Uses associated with and developed as an integral component of TOD. Residential uses shall not be the sole use and shall not exceed 80 percent of a development. Existing dwellings which were legally built as single or multifamily dwellings prior to adoption of the 2030 Comprehensive Plan are allowed within this category.

Accessory Uses: Warehousing, light manufacturing and fabricating may be permitted provided it is part of a commercial retail sales or service establishment, and the accessory use shall be located on a road classified as collector or higher on the Functional Highway Classification Map.

(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): Low Density Residential (LDR). However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series 2014C-016 (Ordinance 2015-207) 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 2014C-016 be **approved**. 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:

F.L.U.E. Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

F.L.U.E. 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.

F.L.U.E. Policy 1.3.6 Access to new and redeveloped non-residential parcels with frontage along two or more roadways shall be limited to one access point per roadway. Access from the higher functional class roadway, or roadway with the higher average daily traffic inclusive of development traffic for roadways of the same functional class, shall be limited to right turn-in/right-turn-out only, unless 1) it can be demonstrated in a traffic study submitted to the JPDD, that such access restrictions would present a safety hazard, would cause undue congestion or delay on adjacent road facilities, would cause environmental degradation, or would hinder adequate traffic circulation, or 2) there already exists more than one full access point on the roadway, and at least one full access points is eliminated.

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. 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.

F.L.U.E. Policy 3.2.6 The City shall encourage neighborhood commercial uses to be located within one quarter mile of the intersections of roads classified as collector or higher on the Functional Highway Classification map, except when such uses are an integral component of a mixed-use development, Traditional Neighborhood Development (TND), Transit Oriented Development (TOD) Rural Village or similar development. The City should prohibit the location of neighborhood commercial uses interior to residential neighborhoods in a manner that will encourage the use of local streets for non-residential traffic.

(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 use of existing and proposed landscaping: The proposed PUD is requesting relief from the 10 foot wide uncomplementary buffer required when a commercial use abuts a residential zoning district. This request is based on the fact that there are significant trees on the abutting church property, which is zoned Residential Rural-Acre. However, the church could expand and remove those trees in the future. **The Department recommends the site comply with the Landscape and Tree Protection Regulations.**

The treatment of pedestrian ways: There are existing sidewalks on Kernan Blvd and McCormick Blvd. The proposed development is required to provide an ADA pedestrian connection from the sidewalk to the building.

The use of topography, physical environment and other natural features: There are no significant variations in topography or natural features on the site.

Traffic and pedestrian circulation patterns: The PUD will have an one access point on Kernan Blvd and one access point on McCormick Road.

The use and variety of building sizes and architectural styles: The applicant has not provided any information on the architectural style.

(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 residential and institutional uses dominate along the McCormick Road corridor. Commercial development at this location will provide for the daily needs of residents who live in the immediate area.

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-70	Single family dwellings
	PBF	PBF-1	JEA electrical sub-station
South	LDR	PUD (03-1371)	Hammock Grove condominiums
East	LDR	RR-Acre	Celebration Baptist Church
West	MDR	PUD (88-580)	Undeveloped, retention pond, wetlands

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 site is within the Wonderwood Connector Corridor Land Use and Zoning Study, and is mentioned in the study.

To protect the existing and future residential development in the immediate area it is important to control light spillover / glare that can occur with a filling station and convenience store. **The Department recommends the standard lighting condition be included in the PUD.**

Future Land Uses

Map 1A and 1B identifies the land use designations included in the Future Land Use Map of the 2010 Comprehensive Plan. With few exceptions (principally the Post Office and the plant nursery mentioned in the Existing Zoning section), the existing land uses and zoning designations are consistent with the future land use as identified in the 2010 Comprehensive Plan.

It is recognized that there will be pressure to change land use and zoning designations once additional traffic begins to travel over a completed Connector.



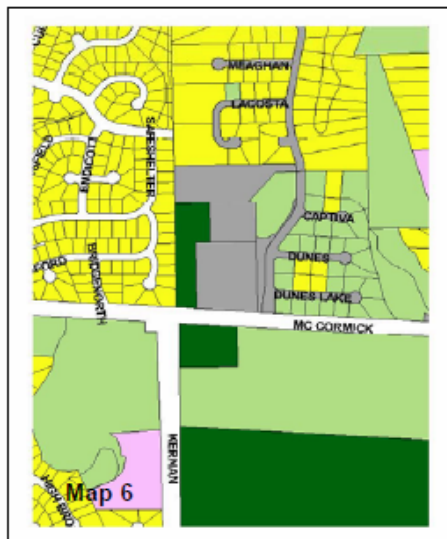
Residence along Mt. Pleasant

However, as long as the Connector fulfills its transportation function of expeditiously and safely for those passing through the area, it does not need to be a part of meeting their discretionary shopping needs. It does need to be a part of meeting the needs of nearby residents.

The entire corridor as shown in **Maps 1A and 1B** was examined to determine if the current "mix" of uses, and potential uses, will adequately serve the needs of the

The Study acknowledges the development pressures once the Wonderwood Connector is completed. The Department feels the proposed use will serve the daily needs of the residents using the roadway and will not be a destination location, which is the intent of the Study. The use by itself will not increase the daily trips on the roadway, but will remove the need for residents to travel 2.5 miles on Kernan Blvd to Atlantic Blvd for gas and convenience items.

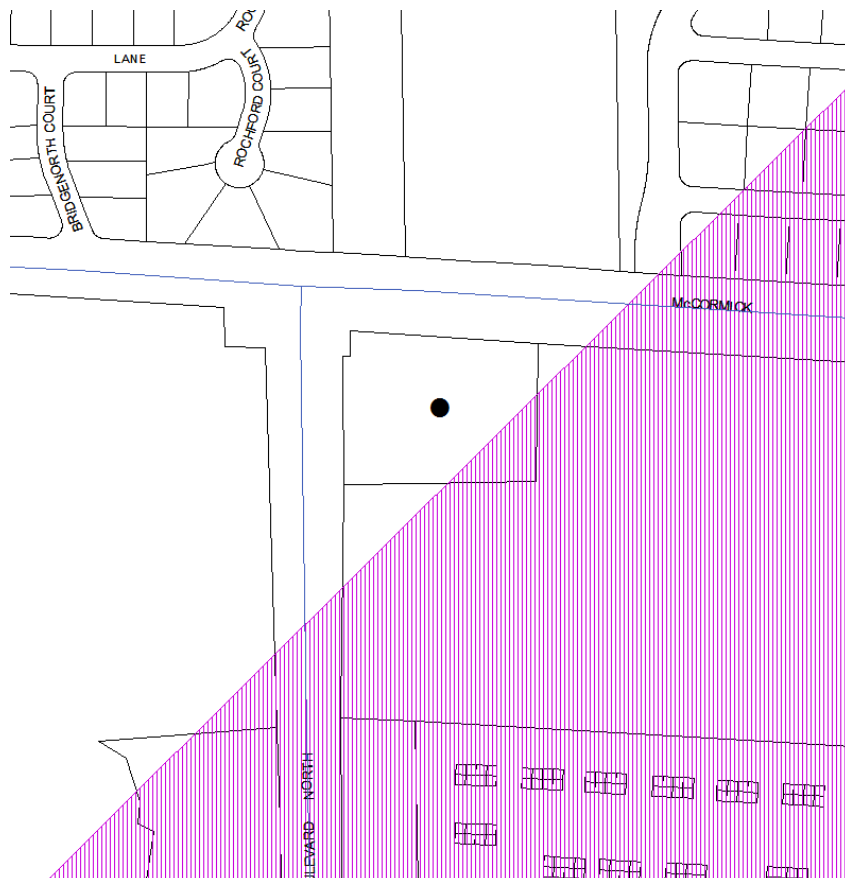
SOUTH EAST QUADRANT MCCORMICK ROAD AND KERNAN BOULEVARD



See Map 6. This is a large undeveloped site in a Low Density Residential land use category and Rural Residential zoning district. The Celebration Baptist Church has a 34 acre site including a recently constructed church fronting on McCormick Road in this general area. The corner of this quadrant is an approximately 1.7 acre site, also known as an "out parcel", which is not included in the Celebration Baptist Church parcel, but surrounded by it. This site is appropriate for residential development at greater density than the existing Rural Residential land use designation would allow, but may be too small to be viable for such use. The

site is developable for non-residential uses if developed under a secondary zoning district. Preferred uses would be professional offices, art galleries, dance studios or day care. These uses are preferred because they enhance the diversity of choices in the neighborhood while recognizing the corner location. Retail uses would not benefit the neighborhood because, as discussed under "Future Land Uses," they are not needed and would negatively impact the residential character of the corridor. Therefore, no exclusively retail uses are recommended for this site. The property to the south of the Celebration Baptist Church parcel is currently being contemplated for residential development with a mix of low and medium densities and a range of housing types. The residential PUD proposed for this site could involve the development of over 475 dwelling units on 115 acres, including land set aside for passive and active recreation. The transition of uses from the church to low and medium density residential is appropriate for this site, as it would be consistent with nearby land uses and consistent with the provisions of the 2010 Comprehensive Plan regarding infill development.

A portion of the site is within the Civilian School Regulation Zone of the Jacksonville Executive at Craig Airport (see graphic below). No schools are proposed in the PUD written description.



(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category as a commercial use. The PUD is appropriate at this location because it will support the existing residential uses in the area.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The memo from FDOT indicates there is sufficient capacity on McCormick Road

(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 April 10, 2015, 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 **2015-208** be **APPROVED with the following exhibits:**

1. The original legal description dated October 31, 2014.
2. The original written description dated December 1, 2014.
3. The original site plan dated December 1, 2014.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated March 30, 2015 or as otherwise approved by the Planning and Development Department.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2015-208** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. 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.

2. 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.
3. The development shall comply with Chapter 656 Zoning Code, Part 12 Landscape and Tree Protection Regulations.



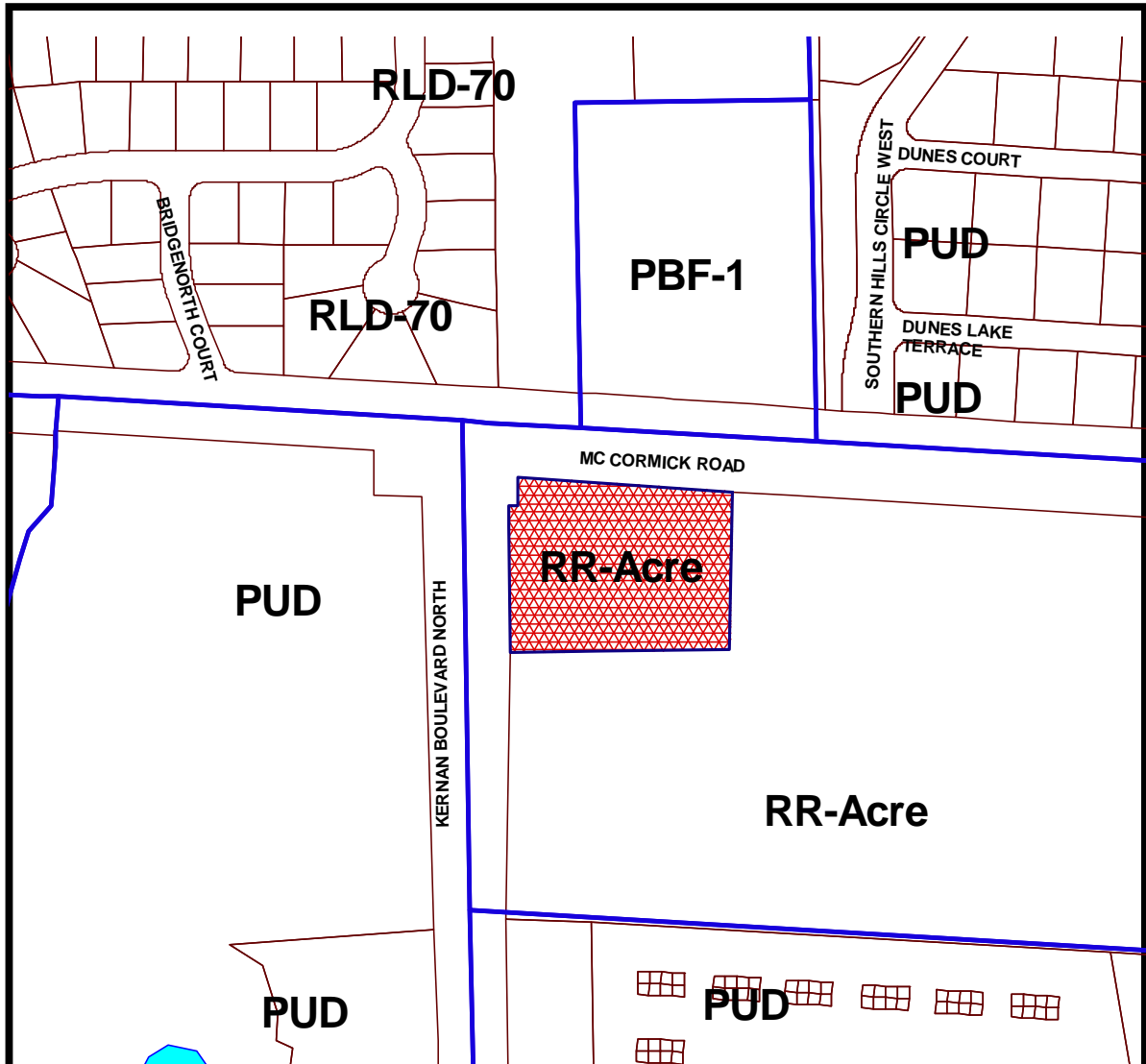
View of site.



Aerial view of site.



• East Arlington



<p>REQUEST SOUGHT:</p> <p>FROM: RR-Acre</p> <p>TO: PUD</p>		
<p>ORDINANCE -2015-0208</p>		<p>0 100 Feet</p> <p>COUNCIL DISTRICT: 2</p> <p>FILE COPY</p>