

3011 MARBON ROAD PUD

September 4, 2019

I. PROJECT DESCRIPTION

- A. Number of acres, location of site, existing use, surrounding uses, types of businesses, proposed uses.

First Coast Energy, L.L.P., a Colorado limited liability partnership (“Applicant”), proposes to rezone approximately 9.11 acres of property located at the northeast corner of San Jose Boulevard and Marbon Road. The property includes two parcels, RE# 158156 0000 (“Parcel 1”) and 158161 0100 (“Parcel 2”) (collectively, the “Property”). Parcel 1 has a Community/General Commercial (“CGC”) land use designation and Parcel 2 has a Low Density Residential (“LDR”) designation. Both are zoned Planned Unit Development (“PUD”) pursuant to Ordinance 2017-493. The PUD authorizes a mixed-use project with commercial outparcels, options for single-family or townhome residential development, and a JTA park-and-ride lot.

The adjacent property to the north is planned Residential Professional Institutional (“RPI”), Neighborhood Commercial (“NC”) and Medium Density Residential (“MDR”) land use with PBF-1 zoning. The property to the east is planned Low Density Residential (“LDR”) land use with Residential Low Density-60 (“RLD-60”) and Rural Residential-Acre (“RR-Acre”) zoning. The property to the south is RPI and LDR use with PUD zoning. The property to the west has NC and RPI land use with PUD and Commercial Office (“CO”) zoning.

The sole purpose of this request for PUD to PUD rezoning is to establish an additional private drive connecting the JTA park-and-ride lot as well as the commercial parcels to Orange Picker Road. Development of this connection will ensure uninterrupted service to the JTA lot during development of the residential parcels. In the long run, Applicant believes the additional connection will provide for better traffic flow and increased safety because it provides JTA busses and commercial traffic with an additional opportunity to access San Jose Boulevard at a signalized intersection.

- B. Project Name: 3011 Marbon Road PUD.
- C. Project Engineer/Planner: England, Thims & Miller, Inc.
- D. Project Developer: First Coast Energy.
- E. Current Land Use Designation: CGC and LDR.
- F. Current Zoning District: PUD (Ordinance 2017-493).

- G. Requested Zoning District: PUD.
- H. Real Estate Number(s): 158156 0000 and 158161 0100.

II. QUANTITATIVE DATA

- A. Total Acreage: 9.11 acres.
- B. Total commercial area: 4.24 acres.
- C. Total number of dwelling units:
 - 1. Single Family Alternative – 23 single family dwelling units.
 - 2. Townhome Alternative – 36 townhome/single family attached dwelling units.
- D. Total amount of recreation area/open space:
 - 1. Single Family Alternative – Approximately 0.67 acres.
 - 2. Townhome Alternative – Approximately 0.97 acres.
- E. Total amount of public/private rights of way: 0.9 acres.

III. STATEMENTS

- A. How does the proposed PUD differ from the usual application of the Zoning Code?

The proposed PUD provides for an additional private road between Marbon Road and Orange Picker Road running between the residential development and commercial outparcel. No change is requested in the conditions imposed on development pursuant to Ordinance 2017-493.

- B. Describe the intent for the continued operation and maintenance of those areas and functions described herein and facilities which are not to be provided, operated or maintained by the City.

The continued operation and maintenance of the areas and functions described herein and facilities which are not to be provided, operated or maintained by the City will be the sole responsibility of the owner of the property.

IV. USES AND RESTRICTIONS

- A. Residential Permitted Uses:
 - 1. Single family dwellings.

2. Townhomes/Single family attached homes.
3. Foster care homes.
4. Family day care homes meeting the performance standards and development criteria set forth in Part 4.
5. Community residential homes of six or fewer residents meeting the performance standards and development criteria set forth in Part 4.
6. Essential services, including water, sewer, gas, telephone, radio, television and electric meeting the performance standards development criteria set forth in Part 4.
7. Neighborhood parks, pocket parks, playgrounds or recreational structures which serve or support a neighborhood or several adjacent neighborhoods, meeting the performance standards and development criteria set forth in Part 4.
8. Home occupations meeting the performance standards and development criteria set forth in Part 4.
9. Detached Accessory Dwelling Unit.
10. Model homes and sales trailers.

B. Residential Permissible Uses by Exception:

1. Schools meeting the performance standards and development criteria in Part 4
2. Day care centers meeting the performance standards and development criteria in Part 4.

C. Commercial Permitted Uses:

1. The following are permitted provided such use is adjacent to San Jose Boulevard (an arterial road) and that no individual building shall exceed 40,000 square feet:
 - a. Commercial retail sales and service establishments including restaurants with drive-thru facilities.
 - b. Restaurants with the outside sale and service of food.
 - c. Permanent or restricted outside sale and service.
 - d. Banks, including drive-thru tellers, savings and loan institutions, and similar uses.
 - e. Professional and business offices, buildings trades contractors that do not require outside storage or the use of heavy machinery, ditching machines, tractors, bulldozers or other heavy construction equipment and similar uses.
 - f. Hotels and motels.

- g. Commercial indoor recreational or entertainment facilities such as bowling alleys, swimming pools, indoor skating rinks, movie theaters, indoor facilities operating licensed lottery sales.
- h. Art galleries, museums, community centers, dance, art or music studios.
- i. Vocational, trade or business schools and similar uses.
- j. Day care centers or care centers meeting the performance standards and development criteria set forth in Part 4.
- k. Off-street commercial parking lots meeting the performance standards and criteria set forth in Part 4.
- l. Adult Congregate Living Facility (but not group care homes or residential treatment facilities).
- m. An establishment or facility which includes the retail sale and service of beer or wine for off-premises consumption or for on-premises conjunction with a restaurant.
- n. Retail plant nurseries including outside display, but not on-site mulching or landscape contractors requiring heavy equipment or vehicles in excess of one-ton capacity.
- o. Express or parcel delivery offices and similar uses (but not freight or truck terminals)
- p. Veterinarians and animal boarding, subject to the performance standards and development criteria set forth in Part 4.
- q. Personal property storage establishments meeting the performance development criteria set forth in Part 4.
- r. Retail outlets for the sale of used wearing apparel, toys, books, luggage, jewelry, cameras, sporting goods, home furnishings and appliances, furniture and similar uses.
- s. Essential services, including water, sewer, gas, telephone, radio, television and electric, meeting the performance standards and development criteria set forth in Part 4.
- t. Churches, including a rectory or similar use.
- u. Outside retail sales of holiday items, including but not limited to Christmas trees and fireworks, subject to the performance standards and development criteria set forth in Part 4.
- v. Wholesaling or distributorship businesses located within a retail shopping center (but not on an out-parcel or within a stand-alone structure), provided such use is limited to 30 percent of the total gross square footage of the retail shopping center of which the wholesaling use or activity is a part, and further provided there is no warehousing or storage of products not directly associated with the wholesaling or distributorship businesses located on the premises.

- w. Assembly of components and light manufacturing when in conjunction with a retail sales or service establishment, conducted without outside storage or display.
- x. Filling or gas stations meeting the performance standards and development criteria set forth in Part 4.
- y. Mobile Car Detailing Services and automated car wash facilities meeting the performance standards and development criteria set forth in Part 4.

2. Park-and-ride and kiss-and-ride lots.

D. Commercial Permissible Uses by Exception:

- 1. An establishment or facility which includes the retail sale and service of all alcoholic beverages including liquor, beer or wine for on-premises consumption or off-premises consumption or both.
- 2. Residential treatment facilities and emergency shelters.
- 3. Multi-family residential integrated with a permitted use.
- 4. Service garages for minor or major repairs
- 5. Auto laundry or manual car wash.
- 6. Pawn shops (limited to items permitted in the CCG-1 Zoning District).
- 7. Recycling collection points meeting the performance standards and development criteria set forth in Part 4.
- 8. Retail sales of new or used automobiles.
- 9. Blood donor stations, plasma centers and similar uses.
- 10. Private clubs.
- 11. Billiard parlors.
- 12. Service and repair of general appliances and small engines.
- 13. Schools meeting the performance standards and development criteria set forth in Part 4.
- 14. Nightclubs.

E. Restrictions on Residential and Commercial Uses:

- 1. Construction shall be restricted to the hours of 6 a.m. to 8 p.m. daily.
- 2. Townhomes/Single family attached homes shall require parcels to be sold individually and not in the aggregate as a singularly managed apartment complex would be sold.

F. Permitted Accessory Uses and Structures: As permitted pursuant to Section 656.403.

V. DESIGN GUIDELINES

A. Residential Design Guidelines:

1. Lot Requirements:

a. Single Family Alternative

- i. *Minimum lot area:* 4000 square feet.
- ii. *Minimum lot width:* 40 feet.
- iii. *Maximum lot coverage:* 50 percent.
- iv. *Minimum front yard:* 20 feet.
- v. *Minimum side yard:* 3 feet.
- vi. *Minimum rear yard:* 20 feet.
- vii. *Maximum height of structures:* 35 feet not to exceed two stories.

b. Townhome Alternative

- i. *Minimum lot area:* 2875 square feet.
- ii. *Minimum lot width:* 25 feet.
- iii. *Maximum lot coverage:* 65 percent.
- iv. *Minimum front yard:* 20 feet.
- v. *Minimum side yard:* 0 feet; 10 feet for end units.
- vi. *Minimum rear yard:* 20 feet.
- vii. *Maximum height of structures:* 35 feet not to exceed two stories.

2. Ingress, Egress and Circulation:

- a. *Parking Requirements.* The parking requirements for the residential portions of this development shall be calculated as follows: (i) 1 space for studio units, (ii) 1.5 spaces for one-bedroom units, and (iii) 1.75 spaces for two+-bedroom units.

b. *Vehicular Access.*

- i. Vehicular access to the Property shall be by way of Marbon Road and San

Jose Boulevard via Orange Picker Road substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the Development Services Division.

- ii. Traffic to the residential portions of the development shall be controlled by the use of entrance gates and/or speedbumps at developer's discretion.
 - iii. Within the residential portions of the Property, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels of the Property, if ownership or occupancy of the Property is subdivided among more than one person or entity.
- c. *Pedestrian Access.* Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

3. Signs:

- a. 1 double faced or 1 single faced signs not to exceed 24 square feet in area and five 5 in height.
- b. Directional and marketing signs may be placed throughout the project as sites are being developed.

4. Landscaping:

- a. A minimum 10 foot, landscaped buffer including an 8 foot tall, 95% opaque fence shall be maintained at all times between the Property and the residential development to the east.
 - i. If the developer chooses to develop the project using single family home lots, the buffer between the single family lots and the commercial parcels shall consist of a vegetative buffer at the property line, and then a fence 10 feet inside the property line such that the vegetative buffer is located on the commercial side of the fence.
 - ii. If the developer chooses to develop the project using townhomes, the buffer between the townhomes and the commercial parcels shall consist of a fence at the property line, and then a vegetative buffer 10 feet inside the property line such that the vegetative buffer is located on the townhome side of the fence.
 - iii. The vegetative buffer shall consist of an evergreen hedge, and one tree for each 25 linear feet spaced so as to allow mature growth, but no greater than 40 feet on center. The evergreen hedge shall consist of large, cold hardy shrubs such as Ilex "Mary Nell", Ligustrum japonicum, Nerium oleander, Viburnum odoratissimum, Bivurnum obovatum and Myrica cerifera in order to ultimately obtain a vegetative

screen higher than the fence. The shrubs shall be a minimum of 5 feet in height, Florida Fancy, at the time of planting and shall obtain an opacity of 85% within 2 years. The trees shall be shade trees, and a minimum of 4 inch caliper at the time of planting.

- b. All stormwater management ponds shall include a water feature. Otherwise, the Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code.

5. Recreation and Open Space:

Recreation and Open Space shall be provided as required by the 2030 Comprehensive Plan.

B. Commercial Design Guidelines:

1. Lot Requirements

- a. *Minimum lot area:* None, except as required for certain uses.
- b. *Minimum lot width:* None, except as required for certain uses.
- c. *Maximum lot coverage:* 65 percent.
- d. *Minimum front yard:* None.
- e. *Minimum side yard:* None.
- f. *Minimum rear yard:* 10 feet.
- g. *Maximum height of structures:* 35 feet not to exceed two stories.

2. Ingress, Egress and Circulation:

- a. *Parking Requirements.* The parking requirements for the commercial portions of this development shall be consistent with the requirements of Part 6 of the Zoning Code; provided, however, that requirements for pervious pavement may be eliminated for a portion of the parking area.
- b. *Vehicular Access.*
 - i. Vehicular access to commercial portions of the Property shall be by way of Marbon Road, Orange Picker Road and San Jose Boulevard substantially as shown in the Site Plan. The final location of all access points is subject to the review and approval of the Development Services Division.

- c. *Pedestrian Access.* Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

3. Signs:

- a. One (1) street frontage sign per lot, not to exceed one (1) square foot for each linear foot of street frontage, to a maximum size of three hundred (300) square feet in area for every three hundred (300) linear feet of street frontage or portion thereof, is permitted provided such signs are located no closer than two hundred (200) feet apart, as provided in the Zoning Code.
- b. Wall signs are permitted.
- c. One (1) under-the-canopy sign per occupancy, not exceeding a maximum of eight (8) square feet in area per sign, is permitted, provided that any square footage used for an under-the-canopy sign shall be subtracted from the maximum allowable square footage for wall signs on the building in question.
- d. In lieu of the street frontage sign permitted above, a flag containing a business logo or other advertising is permitted; provided, the square footage of any such flag shall not exceed one hundred (100) square feet, or thirty-five (35) percent of the allowable square footage of the street frontage sign permitted above, whichever is smaller; and provided further that the pole upon which such flag is flown shall not exceed fifty (50) feet in height above the level of the adjacent ground. Only one flag containing a business logo or other advertising shall be permitted for a premises, regardless of any other factors such as number of tenants on the premises or total amount of street frontage. Further, any flag allowed pursuant to this subsection shall not be illuminated by any means, with the exception of lighting associated with an American flag being flown on the same flag pole.
- e. Directional signs shall not exceed four (4) square feet.

4. Landscaping:

The Property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code.

5. Recreation and Open Space:

Recreation and Open Space shall be provided as required by the 2030 Comprehensive Plan.

C. Utilities

Essential services including gas, telephone, water, sewer, cable and electric as required to serve the project shall be permitted on the site. Water, sanitary sewer and electric

will be provided by JEA.

D. Wetlands

This project will not impact any wetlands.

VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

The proposed project is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations. The proposed project will be beneficial to the surrounding neighborhood and community.

A. Is more efficient than would be possible through strict application of the Zoning Code;

The site as previously approved allows for development of a transitional residential neighborhood consistent with the provisions of the prior PUD, while allowing appropriate commercial development that is limited to the San Jose Boulevard corridor. The proposed PUD expands upon those advancements by providing for improved traffic circulation.

B. Is compatible with surrounding land uses and will improve the characteristics of the surrounding area;

The PUD as proposed enhances compatibility of the approved uses with the characteristics of the surrounding area by providing for improved traffic circulation from the JTA park-and-ride and commercial outparcels. Specifically circulation will be improved by eliminating the need for some of the commercial and JTA traffic to exit via the signalized intersection at Orange Picker Road rather than funneling all traffic along Marbon Road.

C. Will promote the purposes of the City of Jacksonville 2030 Comprehensive Plan.

The proposed PUD is consistent with the general purpose and intent of the City of Jacksonville 2030 Comprehensive Plan and Land Use Regulations, and specifically contributes to:

1. Policy 1.1.12 of the Future Land Use Element of the 2030 Comprehensive Plan – 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.
2. Policy 1.1.13 of the Future Land Use Element of the 2030 Comprehensive Plan – Ensure that mixed and multi-use projects enhance, rather than detract from,

the character of established developed areas by requiring site plan controlled zoning such as Planned Unit Developments (PUDs), TODs or TNDs for all mixed and multi-use projects and conforming with the following criteria: 1. The type of land use(s), density, and intensity is consistent with the provisions of the land use category, particularly the category's predominant land use; 2. The proposed development is in conformity with the goals, objectives, policies, and operative provisions of this and other elements of the 2030 Comprehensive Plan; and 3. The proposed development is compatible with surrounding existing land uses and zoning.

3. Goal 3 of the Future Land Use Element of the 2030 Comprehensive Plan – 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.
4. Objective 3.1 of the Future Land Use Element of the 2030 Comprehensive Plan – Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.
5. Policy 3.1.3 of the Future Land Use Element of the 2030 Comprehensive Plan – 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.
6. Objective 3.2 of the Future Land Use Element of the 2030 Comprehensive Plan – 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.
7. Policy 3.2.4 of the Future Land Use Element of the 2030 Comprehensive Plan – 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.
8. Policy 3.2.9 of the Future Land Use Element of the 2030 Comprehensive Plan – The City shall prohibit construction of parking lots with intrusive

ingress/egress into residential neighborhoods in conformance with the provisions of this and other elements of the 2030 Comprehensive Plan. When access is required to be located off a roadway, it should conform to the City's and State's minimum applicable curb cut separation distance requirements.