

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2020-0097 TO
PLANNED UNIT DEVELOPMENT

MARCH 5, 2020

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 **2020-0097** to Planned Unit Development.

Location: 4621 Emerson Street (SR 126)

Real Estate Numbers: 135936-0010

Current Zoning Districts: Commercial Community General-1 (CCG-1)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: 3-Southeast

Applicant/Agent: Roberta Gibbs
Solid Rock Engineering Consultants, Inc.
10365 S. Hood Road, #206
Jacksonville, FL 32257

Owner: Jose Neto
New View Grantie Jax, LLC.
4915 Beach Blvd, #4
Jacksonville, FL 32207

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2020-0097** seeks to rezone approximately 0.58± acres of land from Commercial Community General-1 (CCG-1) to Planned Unit Development (PUD). The rezoning to PUD is being sought in order to allow outside granite slab display area for the existing granite sales facility. This Planned Unit Development differs from a conventional zoning district by removing the restriction on outside sales display areas and removing uses permissible by exception including pawn shops and services and repair of general appliances and small engines. All other aspects of the underlying zoning designation remain unchanged.

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.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

(A) 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 Community General Commercial (CGC) 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. The subject site is located at the commercial node of Emerson Street, a collector roadway, and Emerson Expressway, a minor arterial roadway. According to the Category Descriptions within the FLUE, the CGC future land use category in the Urban Development Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Principal uses include but are not limited to commercial retail sales and service establishments including auto sales; restaurants; hotels and motels; offices; financial institutions; multi-family dwellings; auto repair and sales; and off-street parking. The uses proposed in the written description of the PUD are consistent with the CGC land use category. The proposed PUD is being sought in order to allow outside granite slab display area for the existing granite sales facility.

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.

(B) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. The proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan and furthers the following goals, objectives and policies contained herein, including:

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 site is located within the Urban Area and will be served by both centralized Water and Sewer. The proposed use will be in compliance with Policy 1.2.9.

Policy 3.2.2

The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

The subject property is an already thriving commercial business which wishes to expand the business to include outside display of granite slabs which will be for retail sales. Rezoning of the current property from CCG-1 to would outside granite slab display area for the existing granite sales facility while other aspects of the underlying zoning designation shall remain unchanged. The property will be developed with uses that are similar in nature to other properties along Emerson Street. Therefore Policy 3.2.2 would be accomplished by encouraging new redevelopment of an existing commercial property.

Airport Environment Zone

The site is located within the 500 foot Height and Hazard Zone for Naval Air Station Jacksonville (NAS JAX). Zoning will limit development to a maximum height of less than 500 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Objective 2.5

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

(C) 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 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): Community General Commercial (CGC).

(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. The City Development Number # 9870.000 was created for New View Granite for PUD Rezoning for Outdoor Display.

The City Dev # was created on 10/8/2019, and since it's for outside display for granite & marble slabs only, the applicant/owner will not need to file for a formal Mobility / CRC application with our office (CMMSO).

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcel for outside granite slab display area for the existing granite sales facility. Moreover, 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. An evaluation of the internal compatibility of a proposal Planned Unit Development shall be based on the following factors:

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The property is a non-residential development and therefore not required to provide recreation and open space. The property however have provided 30% for passive open space.

The use of existing and proposed landscaping: The property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code. No changes to the existing landscaping are requested or proposed.

The treatment of pedestrian ways: Pedestrian Access shall be provided by existing sidewalks bounding the parcel on both Emerson Street and Emerson/Hart Expressway.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced from Emerson Street and Emerson

Expressway.

Comments received from Traffic and Engineering on February 11, 2020:

- The western driveway on Emerson Expressway proposed to be closed shall be permitted through FDOT.

(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 between Emerson Street and Emerson Expressway and is surrounded by commercial uses. To the north of the property along Emerson Expressway includes uses ranging from medical office, office space, and warehouse storage. The south side of Emerson Street includes a church and single family dwellings. East of the subject property is warehouse/storage and a bank.

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	RPI	CRO	Medical Office
South	RPI	CRO	Church
East	CGC	CCG-1	Bank
West	RPI	CRO	Office Space

(6) Intensity of Development

The request is for a rezoning from CCG-1 to PUD in order to allow outside granite slab display area for the existing granite sales facility. The PUD is appropriate at this location with specific reference to the following:

The existing residential density and intensity of use of surrounding lands: The subject properties are predominantly surrounded by commercial uses but does have some residential in the area. The surrounding residential are single family dwellings to the south and east located in the zoning district RLD-60.

The availability and location of utility services and public facilities and services:

The subject site will be serviced by JEA for city water and sewer. Additionally, in a memo provided by JEA dated February 18, 2020, PUD application for a commercial development. JEA Availability Number 2019-4129 was issued on 12/11/2019 for the proposed development for 540 gpd.

(7) Usable open spaces plazas, recreation areas.

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

(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 confirmed there is no presence of wetlands on-site.

(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 property shall be developed in accordance with Part 6 Off-street Parking, On-Street Parking and Loading Regulations of the Zoning Code.

(11) Sidewalks, trails, and bikeways

Pedestrian Access shall be provided by existing sidewalks bounding the parcel on both Emerson Street and Emerson/Hart Expressway.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **February 13, 2020** by the Planning and Development Department, the Notice of Public Hearing signs **were** posted.



RECOMMENDATION

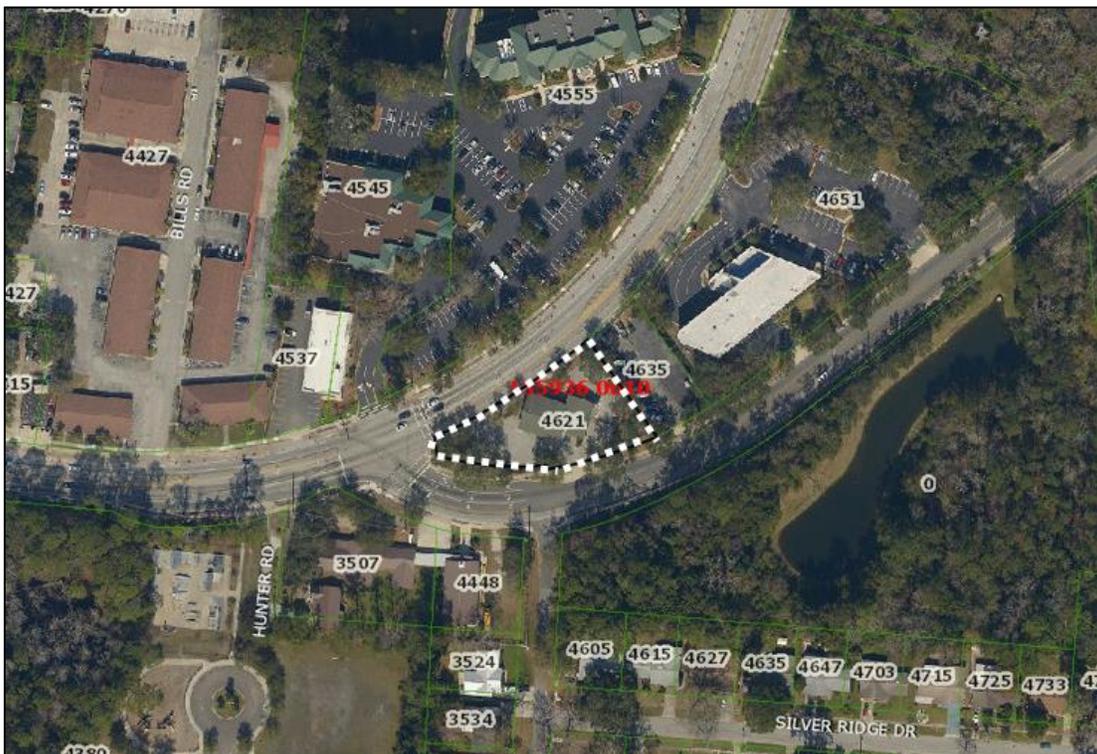
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2020-0097 be **APPROVED with the following exhibits:**

The original legal description dated December 18, 2019

The revised written description dated July 23, 2019

The revised site plan dated July 22, 2019

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2020-0097 be **APPROVED.**



Aerial View

Source: JaxGIS



View of Subject Property along Emerson Expressway

Source: Planning & Development Dept.

Date: February 13, 2020



View of Subject Property along Emerson Street

Source: Planning & Development Dept.

Date: February 13, 2020



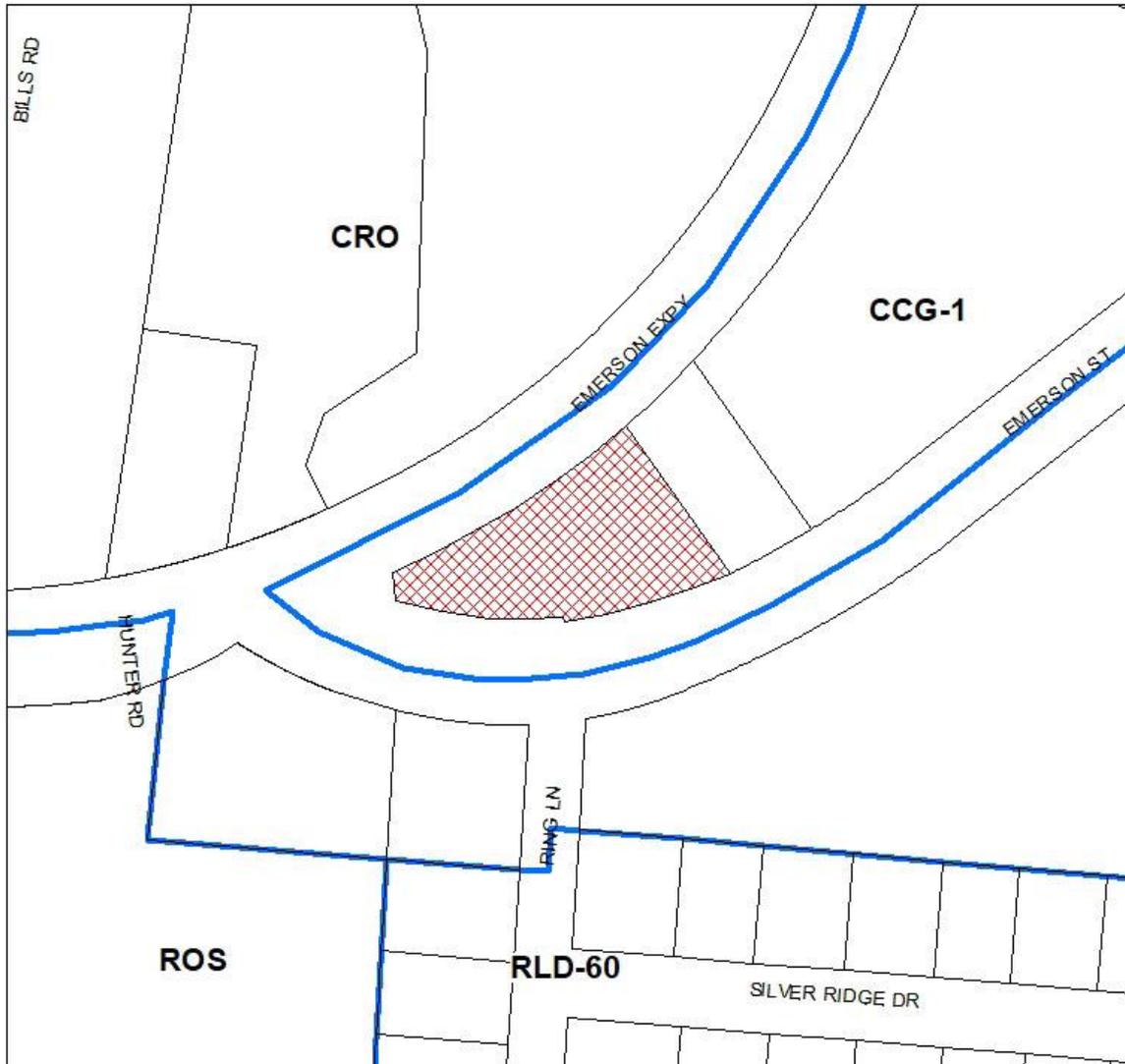
Outside Display of Granite

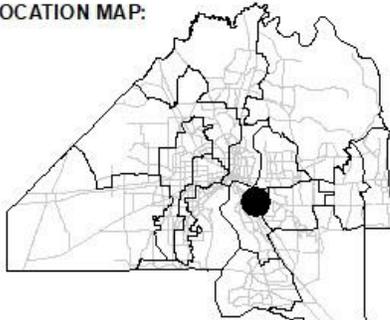
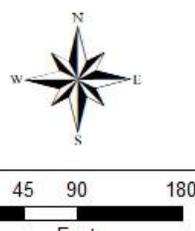
*Source: Planning & Development Dept.
Date: February 13, 2020*



Property to the East

Source: GoogleMaps



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0097</p>	<p>TRACKING NUMBER</p> <p>T-2019-2566</p>	<p>COUNCIL DISTRICT:</p> <p>5</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>