

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0797 TO
PLANNED UNIT DEVELOPMENT

DECEMBER 5, 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 **2019-0797** to Planned Unit Development.

Location: 0 Main Street North (SR 5)
Between Outback Road and Castleberry Road

Real Estate Number: 107655-0010

Current Zoning District: Planned Unit Development (PUD) 2005-0177-E

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: 6-North

Applicant/Agent: David Touring
The Touring Company, Inc.
4206 Tradewinds Drive
Jacksonville, FL 32250

Owner: David Ergisi
Coastal Regions Northside LLC
1205 Monument Road, Suite 303
Jacksonville, FL 32225

Staff Recommendation: **APPROVE W/ CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2019-0797** seeks to rezone approximately 8.69± acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD). The rezoning is being sought to allow for the development of 116,775 sq. ft. of retail, commercial, and office space which may be subdivided into 5 buildings. Additionally all uses allowed by right in the City of Jacksonville Zoning Code Section 656.313 Commercial Community General 1 (CCG-1) including “out-patient surgical centers will be allowed by right.

The current PUD, 2005-0177-E, allows for a commercial shopping center with a maximum of 60,000 square feet of retail space which may be subdivided into 4 buildings. The PUD allowed all uses allowed by right in Commercial Community General-1 (CCG-1) and all uses allowed by exception would need to seek an exception for that use.

PUD Ord. 2005-0177-E was approved with the following conditions:

- (a) The development shall proceed in accordance with the Traffic Engineering Division Memorandum dated March 2, 2005 and attached hereto as Exhibit 4, or as otherwise approved by the Traffic Engineering Division and the Planning and Development Department.**

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 revised PUD is a part of a larger PUD parcel with the land use of CGC. All uses listed in the PUD are allowed in CGC. The addition of an outpatient surgery center is a commercial secondary use allowed in CGC.

Therefore, Staff finds the proposed rezoning to be consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Zoning Code.

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

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:

Future Land Use Element (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 may be 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.

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 subject property is located along North Main Street and if approved would allow a vacant underutilized piece of property to be developed to permit 116,775 sq. ft. of retail, commercial, and office space. The proposed development will protect and preserve the character of the surrounding neighborhood therefore being in compliance with Goal 3.

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 currently a vacant piece of land in a developed commercial area that has yet to be utilized and approval of this Rezoning would allow the developers to develop the property with uses that are similar in nature to the existing neighboring properties. Therefore Policy 3.2.2 would be accomplished by encouraging new development on vacant land within an area already thriving as a commercial area.

Recreation and Open Space Element

Policy 2.2.1

The City shall require that all new non-residential land uses, except in the Central Business District, provide a minimum of 10% of the property in open space

As demonstrated in the Land-Use Table provided in the application the property will have 1.39 acres (16%) of passive open space. Therefore, the proposed development will be in compliance with Policy 2.2.1.

Dunn and Main St. Corridor Study

The western portion of the site is located within the study area of the North Jacksonville – Dunn Ave. & Main St. Corridor Revitalization Plan. The site is located within District # (Duval Station District) of the Main Street segment of the plan. Since the development of this plan Duval Station Road has connected to Max Leggett Parkway has a connection to the River City Marketplace. The

plan did not list a place-making node in this area due to proposed plans. The land use amendment is consistent with the intent of the corridor plan.

(C) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

The intended development will meet 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.

Mobility # 101476.0 / CRC # 101476.1: Duval Station Mixed Use was approved/reserved Concurrency and Mobility for RE parcel # 107655-0010 on 8/21/19. It reserves a total of 35,100 encl sf of commercial uses: 10,000 sf outpatient surgery center (ITE 610), 12,500 sf office (ITE 710), 10,600 medical office (ITE 720) and 2,000 sf fast food restaurant w/ drive thru (ITE 934).

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcel for 116,775 sq. ft. of retail, commercial, and office space which may be subdivided into 5 buildings. 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 with specific reference to the following:

The existence or absence of, and the location of open spaces, plazas, recreational areas and

common areas: The project will be developed with the required amount of open space as applicable in accordance with Recreation and Open Space Policy 2.2.1. As demonstrated in the Land-Use Table provided in the application the project will have 1.39 acres (16%) of passive open space.

The use of existing and proposed landscaping: Landscaping will meet or exceed the requirements set forth in Part 12 of the City of Jacksonville Zoning Code.

The treatment of pedestrian ways: The property will meet the goals and objections of the 2030 Comprehensive Plan pertaining to the pedestrian circulation. There will be pedestrian access for ingress and egress from Main Street and/or Outback Drive as approved by the City of Jacksonville Planning and Development Department. Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, vehicular access for commercial uses shall be 44th Street East. Access to the remaining portions of the property may be by 44th Street East, Sebald Lane, or 45th Street East. The final location of all access points is subject to the review and approval of the Development Services Division.

Main Street (U.S 17), from State Route 9A to Pecan Park Road, is the directly accessed functionally classified roadway. Main Street is a 2-lane undivided highway in this vicinity and is currently operating at 69.47% of capacity. This Main Street segment has a maximum daily capacity of 17,700 vpd and a 2018 daily traffic volume of 12,297 vpd.

This development is for 4,500 SQFT of ITE Code 934 Fast Food w/ Drive through Restaurant, 30,500 SQFT of ITE Code 820 Shopping Center, 61,500 SQFT of ITE Code 710 Office, and 33,500 SQFT of future ITE Code 820 Shopping Center which would generate 8120 vpd.

This development is subject to mobility fee review.

(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 Main Street North and is surrounded by commercial uses. To the south of the property consist of a gas station and fast food restaurants located in CCG-2 zoning district. To the East of the property is single family dwellings located in zoning district RLD-60.

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	CGC	PUD 2012-0218	Funeral Home

South	CGC	CCG-2	Gas Station/ Convenience Store
East	LDR	RLD-60	Single Family Dwelling
West	LI	IL	Manufacturing

(6) Intensity of Development

The proposed development is consistent with the PBF functional land use category with specific reference to the following:

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 November 20, 2019, JEA Availability Number 2019-3590 was issued on 10/14/2019 for the proposed development for 25,450 gpd. Final project design to meet the JEA Design Standards in effect at the time of construction plan approval.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject property access will be provided via 44th Street East. There is no direct access to a state facility. US-17 (Main Street) is approximately 0.30 miles west of the subject property.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space as applicable in accordance with Recreation and Open Space Policy 2.2.1. As demonstrated in the Land-Use Table provided in the application the project will have 1.39 acres (16%) of passive open space.

(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 site will meet the parking and loading requirements as defined in the Jacksonville Zoning Code Part 6, sub part 656.604 and 656.605.

(11) Sidewalks, trails, and bikeways

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

Pursuant to Policy 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan, the

applicant must provide for the convenient and safe access by and securing of bicycles on site. The bicycle parking must be consistent with the requirements outlined in Part 6 of the Zoning Code.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 14, 2019** 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 **2019-0797** be **APPROVED with the following exhibits:**

- The original legal description dated October 16, 2019**
- The revised written description dated July 31, 2019**
- The revised site plan dated May 13, 2019.**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-0797** be **APPROVED w/ CONDITIONS.**

- 1. Development shall be in accordance with the Transportation Planning memo dated November 22, 2019 or as otherwise approved by Planning & Development Department.**



Aerial View

Source: JaxGIS



View of the Subject Property

Source: Planning & Development Dept.

Date: November 14, 2019



View of Property along Main Street North

Source: Planning & Development Dept.

Date: November 14, 2019



View of Southern Property Entrance

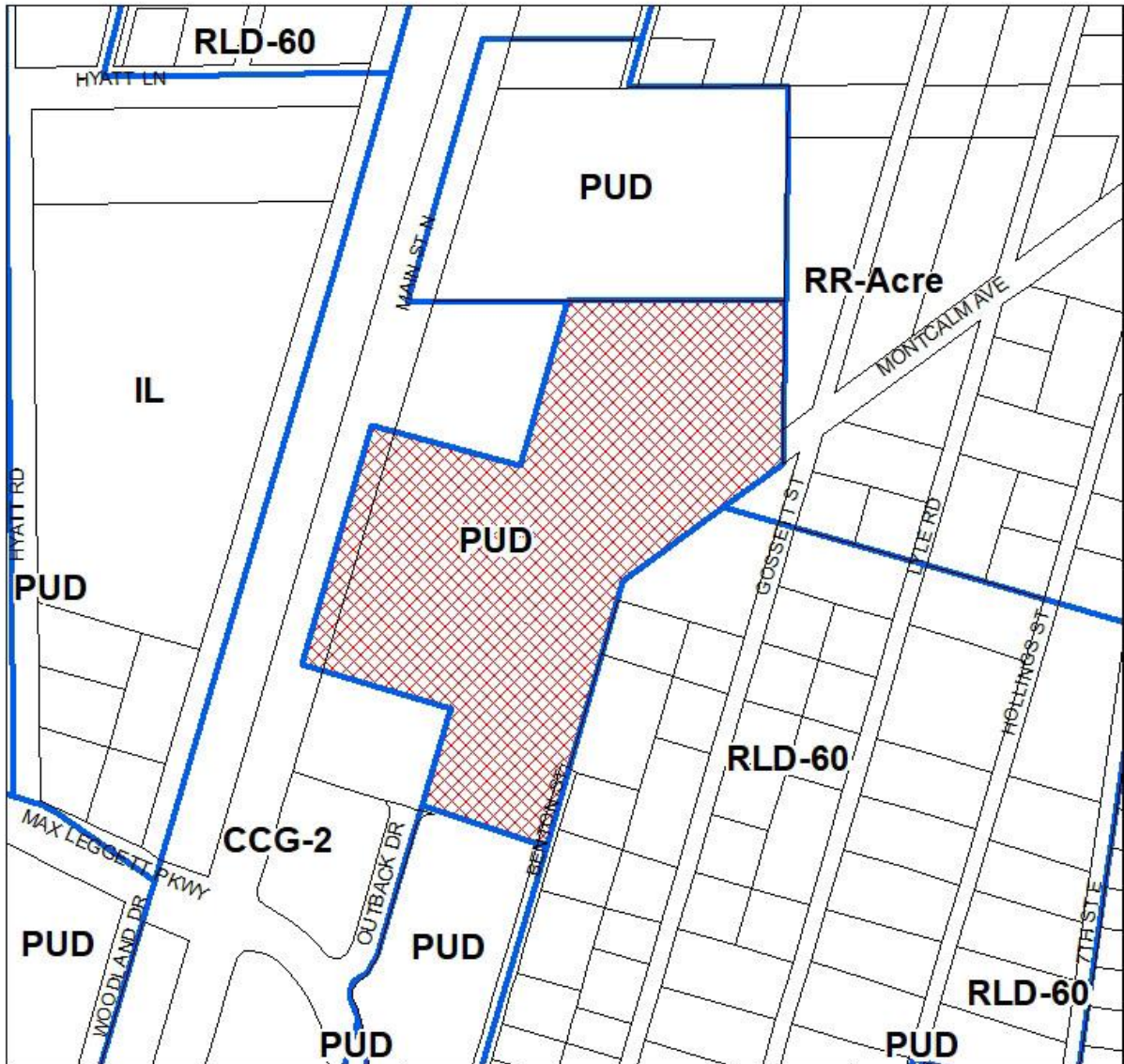
Source: Planning & Development Dept.

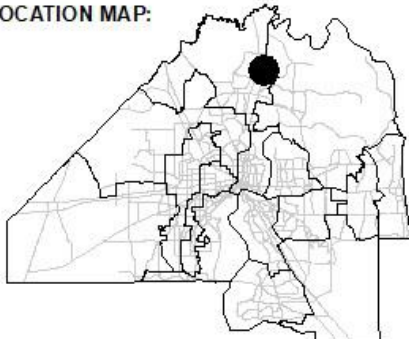

Date: November 14, 2019



View of Eastern Property Line

*Source: Planning & Development Dept.
Date: November 14, 2019*



<p>REQUEST SOUGHT:</p> <p>FROM: PUD TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>0 95 190 380 Feet</p>
<p>ORDINANCE NUMBER ORD-2019-0797</p>	<p>TRACKING NUMBER T-2019-2430</p>	<p>COUNCIL DISTRICT: 7</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>