

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

October 6, 2022

The Honorable Terrance Freeman, President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

RE: Planning Commission Advisory Report

Ordinance No.: 2022-664

Application for: Bulls Bay Industrial PUD

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve with Conditions**

Planning Commission Recommendation: **Approve with Conditions**

This rezoning is subject to the following exhibits:

1. **The original legal description dated April 27, 2022.**
2. **The revised written description dated October 20, 2022.**
3. **The original site plan dated March 30, 2022.**

Recommended Planning Commission Conditions to the Ordinance:

Planning Commission conditions:

1. **A maximum of two driveway entrances will be permitted along Bulls Bay Highway, or as otherwise approved by the Traffic Engineering Division.**
2. **Permitted Use #13 in the Written Description, shall be deleted.**
3. **Automobile wrecking yards or junkyards shall be prohibited.**

Planning Department conditions:

1. **A maximum of two driveway entrances will be permitted along Bulls Bay Highway, or as otherwise approved by the Traffic Engineering Division.**

Recommended Planning Commission Conditions that can be incorporated into the Written Description: **None**

Planning Commission Commentary: There were several speakers in opposition. Their concerns were that Bulls Bay is a narrow 2 lane road, unsuitable for truck vehicles, the number of permitted uses, the possibility of new junkyards and the speed limit along Bulls Bay. The Commissioners were conflicted because the area is a mix of industrial and residential uses. They felt limiting some uses will reduce potential conflicts with the existing residential uses and they proposed two additional conditions.

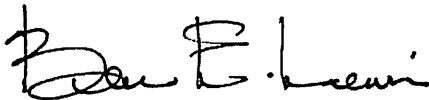
The agent presented a revised written description which added buffer and lighting restrictions along the east property line and added a lighting restriction regulation relating to the Navy OLF Whitehouse.

Planning Commission Vote: 5-0

Alex Moldovan, Chair	Absent
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Absent
Jordan Elsbury	Absent
Joshua Garrison	Aye
David Hacker	Absent
Nicole Padgett (Alternate)	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

PUD WRITTEN DESCRIPTION
BULLS BAY INDUSTRIAL PUD
~~August 16~~ October 20, 2022

I. PROJECT DESCRIPTION

- A. Number of acres, location of site, existing use, surrounding uses, types of businesses, and proposed uses: Applicant proposes to rezone approximately 11.41 acres of property to allow for industrial development on the property located at 1101 and 1103 Bulls Bay Highway (RE#s 004831 0000, 004806 5000) as more particularly described in Exhibit 1 (the “Property”) and conceptually depicted in the Site Plan filed herewith. The Property is located within the LDR land use category, the Suburban Development Area, and is zoned RR-Acre.

Applicant intends to develop the Property for general industrial uses and has filed a companion land use amendment requesting to be located in the LI land use category. Applicant intends to initially utilize the Property for open storage with the subsequent development of warehouse or other industrial facilities, subject to market demand. In order to ensure consistency with the residentially zoned parcels in the vicinity, this PUD adopts enhanced setbacks and buffers as set forth herein. The Site Plan filed herewith is conceptual and depicts the contemplated industrial facilities that will follow the open storage use.

The surrounding land use and zoning designations are as follows:

<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>	<i>Existing Use</i>
North	LI	IL	Auto sales/Auto Salvage/Junk Yard
East	LDR	RLD-40	Vacant/Undeveloped
South	LDR	RR-Acre	Vacant/Single-family
West	HI	IH	Outdoor storage/Junk Yard

- B. Project name: Bulls Bay Industrial PUD.
- C. Project engineer: England-Thims & Miller, Inc.
- D. Project developer: Florida Land Trust No. 2021 May 5.
- E. Project agent: Driver, McAfee, Hawthorne & Diebenow, PLLC.
- F. Current land use designation: LDR.
- G. Current zoning district: RR-Acre.
- H. Requested land use designation: LI.
- I. Requested zoning district: PUD.

J. Real estate numbers: 004831 0000 and 004806 5000.

II. QUANTITATIVE DATA

A. Total acreage: 11.41 acres.

B. Maximum square footage: 448,800 sf.

III. STATEMENTS

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

This PUD adopts the Zoning Code applicable to the IL zoning district, allows parking to be provided at the pertinent ITE code subject to the review and approval of the Planning and Development Department, and requires the following enhanced minimum setbacks, ~~and buffers~~ and lighting requirements:

1. Side setbacks of twenty (20) feet along any boundary abutting a residentially zoned parcel,

2. Rear setback of ~~fifty~~thirty (30) feet, ~~and~~

3. Rear landscape buffer of ~~thirty~~ fifty (50) feet, and,

~~3.4.~~Lighting shall be located west of the rear landscape buffer. Lighting within one hundred fifty (150) feet of the eastern boundary line shall direct light away from the adjacent property to the east and shall not exceed the height of the tallest tree that is part of the landscape buffer. Within this area, directional lighting fixtures designed to cast illumination downward and within the site shall be used rather than broad area illumination.

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.

Owner will be responsible for the operation and maintenance of the areas and functions described herein and any facilities that are not provided, operated or maintained by the City.

IV. USES AND RESTRICTIONS

A. Permitted Uses:

1. Wholesaling, warehousing, storage or distribution establishments (but not concrete batch mixing plants) and similar uses.

2. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating.
3. Printing, publishing or similar establishments.
4. Business and professional offices.
5. Service establishments catering to commerce and industry, including linen supply, laundry and dry cleaning plants, freight movers, communications services, business machine services, hiring and union halls, employment agencies, sign companies.
6. Restaurants (regulated by DBPR – Division of Hotels and Restaurants) including retail sale and service of beer and wine for consumption on premises.
7. Automobile service stations, major repair garages, mobile car detailing, auto laundry, and automated car wash meeting the performance standards and development criteria set forth in Part 4.
8. Vocational, technical, trade or industrial schools and similar uses.
9. Medical clinics.
10. Freight, bus, trucking, shipping or other transportation terminals, commercial parking lots and garages, truck stops, express offices and terminal facilities and telephone exchanges, repair or installation facilities and similar uses.
11. Radio or television broadcasting offices, studios, transmitters, telephone and cellular telephone towers.
12. Scrap processing, indoor, clean activity, meeting the performance standards and development criteria set forth in Part 4.
13. Bulk storage yards, (but not concrete batch mixing plants) including bulk storage of flammable liquids and acids if storage not within a completely enclosed building or structure is visually screened by a six (6) foot fence or wall not less than ninety-five percent (95%) opaque.
14. Building trades contractors with outside storage yards and heavy construction equipment if storage, including heavy construction machinery, not within a completely enclosed building or structure, is visually screened by a six (6) foot fence or wall not less than ninety-five percent (95%) opaque.
15. Outdoor storage yards and lots including auto storage yards (but not scrap processing yards or concrete batch mixing plants) if storage is completely enclosed by a six (6) foot fence or wall not TROWN less than ninety-five percent (95%) opaque.

16. Retail outlets in conjunction with wholesaling establishments if the area designated for retail sales does not exceed ten percent (10%) of the gross floor area of the building of which it is a part.
17. Banks, including drive-thru tellers.
18. Recycling facilities meeting the performance standards and development criteria set forth in Part 4.
19. Retail sales of heavy machinery, farm equipment and building materials including outside display.
20. Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria set forth in Part 4.
21. Veterinarians, animal boarding, and dog parks meeting the performance standards and development criteria set forth in Part 4.

B. Permissible Uses by Exception:

1. An industrial or commercial use which is not otherwise permitted or permissible in this Zoning Code, except the following:
 - a. Acid, chemical, fertilizer or insecticide manufacture or storage.
 - b. Explosives manufacturing or storage.
 - c. Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
 - d. Paper and pulp manufacture.
 - e. Petroleum refining.
 - f. Stockyards or feeding pens and livestock auctions.
 - g. A use which is potentially dangerous, noxious or offensive to neighboring uses or the public in general by reason of smoke, odor, noise, flare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter or radiation.
2. Recycling facilities and yards meeting the performance standards and development criteria set forth in Part 4.
3. Care centers meeting the performance standards and development criteria set forth in Part 4.

4. Churches, including a rectory and similar uses, meeting the performance standards and development criteria set forth in Part 4.
5. Retail sales and service of all alcoholic beverages for either off-premises consumption or on-premises consumption or both.
6. Retail sales including outside display.
7. Yard waste composting facility including the mulching process, meeting the performance standards and development criteria set forth in Part 4.
8. Manual car wash.
9. Fitness centers.

C. Permitted Accessory Uses and Structures:

1. As permitted in Section 656.403.
2. Residential facilities (including not more than one (1) mobile home) located on the same premises as an industrial use for the use of watchmen or caretakers whose employment requires residence on the premises.

V. DESIGN GUIDELINES

A. Lot Requirements:

1. Minimum lot width and area: None.
2. Maximum lot coverage by all buildings. None.
3. Minimum building setback:
 - a. Front – None.
 - b. Side – Twenty (20) feet along any boundary abutting a residentially zoned parcel. There shall be no minimum side setback from boundaries abutting non-residentially zoned property.
 - c. Rear – ~~Fifty~~ Thirty (30) feet.
4. Maximum height of structures:
 - a. None.

B. Ingress, Egress and Circulation:

1. *Parking Requirements.* Parking shall be provided pursuant to Part 6 of the Zoning Code or the applicable ITE code subject to the review and approval of the Planning and Development Department.
2. *Vehicular Access.* Vehicular access to the Property shall be by way of Bulls Bay Highway, substantially as shown on the Site Plan.
3. *Pedestrian Access.* As required by the 2030 Comprehensive Plan.

C. Signs: Signs for this development shall be consistent with the requirements for industrial zoning districts as set forth in Part 13 of the Zoning Code.

D. Landscaping: Landscaping shall be provided as required pursuant to Part 12 of the Zoning Code, except that a ~~fifty~~^{thirty} (530) foot landscape buffer shall be provided along the eastern boundary of the Property. Stormwater facilities shall be located between any structure and the rear fifty (50) foot landscape buffer; provided, however, that in the alternative, developer may in its sole discretion locate structures along the buffer without intervening stormwater facilities so long as a minimum one hundred (100) foot landscape buffer is provided.

E. Recreation and Open Space: Recreation and open space shall be provided as required by the 2030 Comprehensive Plan.

F. Utilities: Essential services, including water, sewer, gas, as required to serve the project shall be permitted on the site. Development shall occur consistent with the adopted level of service standards for potable water and sanitary sewer in the Comprehensive Plan. Temporary potable services (e.g., well) may be utilized at the discretion of the Property owner until such time that centralized water is required by applicable regulations to service proposed development. The necessary facilities, including adequate water supplies, will be in place and available to serve the new development when such development impacts occur.

G. Wetlands: Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.

H. Lighting:

- a. Lighting shall be located west of the rear landscape buffer. Lighting within one hundred fifty (150) feet of the eastern boundary line shall direct light away from the adjacent property to the east and shall not exceed the height of the tallest tree that is part of the landscape buffer. Within this area, directional lighting fixtures designed to cast illumination downward and within the site shall be used rather than broad area illumination.

G.b. Within the Lighting Regulation Zone at Outlying Field Whitehouse, all artificial lighting equipment, including but not limited to flood lights and searchlights, whether temporary or permanent installations, shall have positive optical control so that no light is emitted above the horizontal plan. No building permit shall be granted in this zone unless this requirement is met. Development within the Lighting Regulation Zone at Outlying Field Whitehouse is subject to Airport Notice Zone Acknowledgments as required in Section 656.1010.

VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

In accordance with Section 656.341(d) of the Code the PUD meets the applicable Criteria for review as follows:

A. Consistency with the Comprehensive Plan. The proposed PUD is consistent with the general purpose and intent of the City's 2030 Comprehensive Plan and Land Use Regulations, will promote the purposes of the City's 2030 Comprehensive Plan and specifically contributes to:

Future Land Use Element

1. Policy 1.1.8 - Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.
2. Policy 1.1.9 - Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.
3. 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.
4. Policy 1.1.16 - Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:
 - (1) Creation of like uses;
 - (2) Creation of complementary uses;
 - (3) Enhancement of transportation connections;
 - (4) Use of noise, odor, vibration and visual/ aesthetic controls; and/or

(5) Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.

5. 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.
6. Policy 3.2.7 – The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.
7. Policy 4.1.2 - The City shall require that all development conform to the densities and intensities established in the Future Land Use Map series and Operative Provisions of this element and be consistent with the plan.

B. Consistency with the Concurrency Management System. All development will secure necessary approvals from the CMMSO and pay all required fees in accordance with Chapter 655 of the Code.

C. Allocation of residential land use.

Residential use is not proposed in this PUD.

D. Internal compatibility. The Site Plan attached as Exhibit E addresses access and circulation within the site. Access to the site is available from Bulls Bay Highway. Location of the access points shown on the Site Plan as well as final design of the access points is subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

E. External compatibility/ Intensity of development. The proposed development is consistent with and complimentary to existing uses in the area. Industrial land use exists to the north and west of the Property. Both areas are utilized for outdoor storage and junk yard type uses.

F. Usable open spaces, plazas, recreation areas. Open space in compliance with the 2030 Comprehensive Plan will be provided.

G. Impact on wetlands. Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.

H. Listed species regulations. The Property is less than fifty (50) acres and therefore a listed species survey is not required.

I. Off-Street parking including loading and unloading areas. The proposed PUD provides parking pursuant to the Zoning Code or the applicable ITE code.

J. **Sidewalks, trails and bikeways.** Pedestrian circulation will be addressed consistent with the 2030 Comprehensive Plan.

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2022-0664 TO
PLANNED UNIT DEVELOPMENT

OCTOBER 6, 2022

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 2022-0664 to Planned Unit Development.

Location: 1101 & 1103 Bulls Bay Highway
Between Commonwealth Avenue and Ocala Avenue

Real Estate Number(s): 004831-0000; 004806-5000

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

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential

Proposed Land Use Category: Light Industrial (LI)

Planning District: Northwest, District 5

Applicant/Agent: Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne and Diebenow, PLLC
1 Independent Drive, Suite 1200
Jacksonville Florida 32202

Owner: Florida Land Trust No. 2021-May 5
PO Box 817058
Hollywood, Florida. 33081

Staff Recommendation: **APPROVE with CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development 2022-0664 seeks to rezone approximately 11.41± acres of land from RR-Acre to PUD. The rezoning to PUD is being sought to allow a maximum of 448,800 square feet of industrial and warehouse uses.

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.

(A) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?

Yes. The applicant would like to change the zoning from RR-Acre to PUD to allow for general principle and secondary industrial uses. The subject site consists of 11.41 acres and is located on the east side of Bulls Bay Highway. According to the City's Functional Highway Classification Map, Bulls Bay Highway is a collector arterial roadway. The site is also located on the Suburban Development Area, Planning District 5, and Council District 10.

According to the Category Description of the Future Land Use Element (FLUE), Light Industrial (LI) land use category provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes.

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

Yes. 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:

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.

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.

Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

(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 plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

(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): Low Density Residential (LDR). The entire Parcel is seeking to be changed to Light Industrial (LI). If the Land Use Change is approved, the Planning and Development Department finds that the proposed PUD is consistent with the 2030 Comprehensive Plan, as evaluated in Criteria (B).

(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 an Industrial 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. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The streetscape: The site plan shows two large buildings accessed from three driveways along Bulls Bay Highway. The Traffic Engineer with the City has advised that a maximum of two driveways will be allowed. The proposed project will still have sufficient access with two allowed driveways.
- Traffic and pedestrian circulation patterns: The site plan shows an internal connected road system with access on Bulls Bay Highway.

(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 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	LI	IL	Storage, Junkyard
South	LDR	RR-Acre	Vacant Residential
East	LI/LDR	IL/RLD-40	Undeveloped
West	HI	IH/RR-Acre	Storage/Open/Industrial

(6) Intensity of Development

The proposed development is consistent with the proposed LI functional land use category as an Industrial Warehouse Development. The PUD is appropriate at this location due to the location of the industrial uses in the surrounding area.

- The availability and location of utility services and public facilities and services: JEA has no objection to the proposed development.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The City Traffic Engineer has the following comments.
 - The Traffic Engineer with the City has advised that a maximum of two driveways will be allowed. The proposed project will still have sufficient access with two allowed driveways.

(7) Usable open spaces plazas, recreation areas.

The project will be developed meeting the open space requirements of 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 identifies some wetlands on-site. 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 subject to review of the ITE Code and Approval of the Planning and Development Department.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian right of way that meets the requirements of the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on September 26th 2022 the required public notice signs were posted



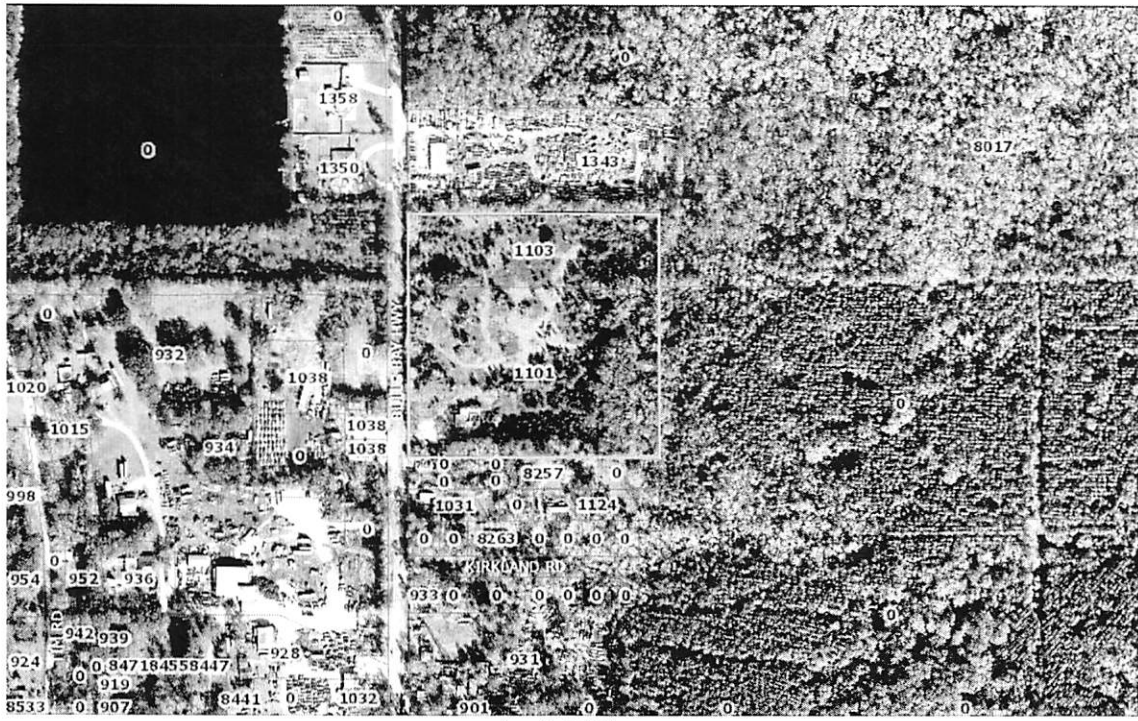
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2022-0644** be **APPROVED with the following exhibits:**

1. The original legal description dated April 27, 2022.
2. The revised written description dated April 27, 2022.
3. The original site plan dated March 30, 2022.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2022-644** be **APPROVED with the following condition:**

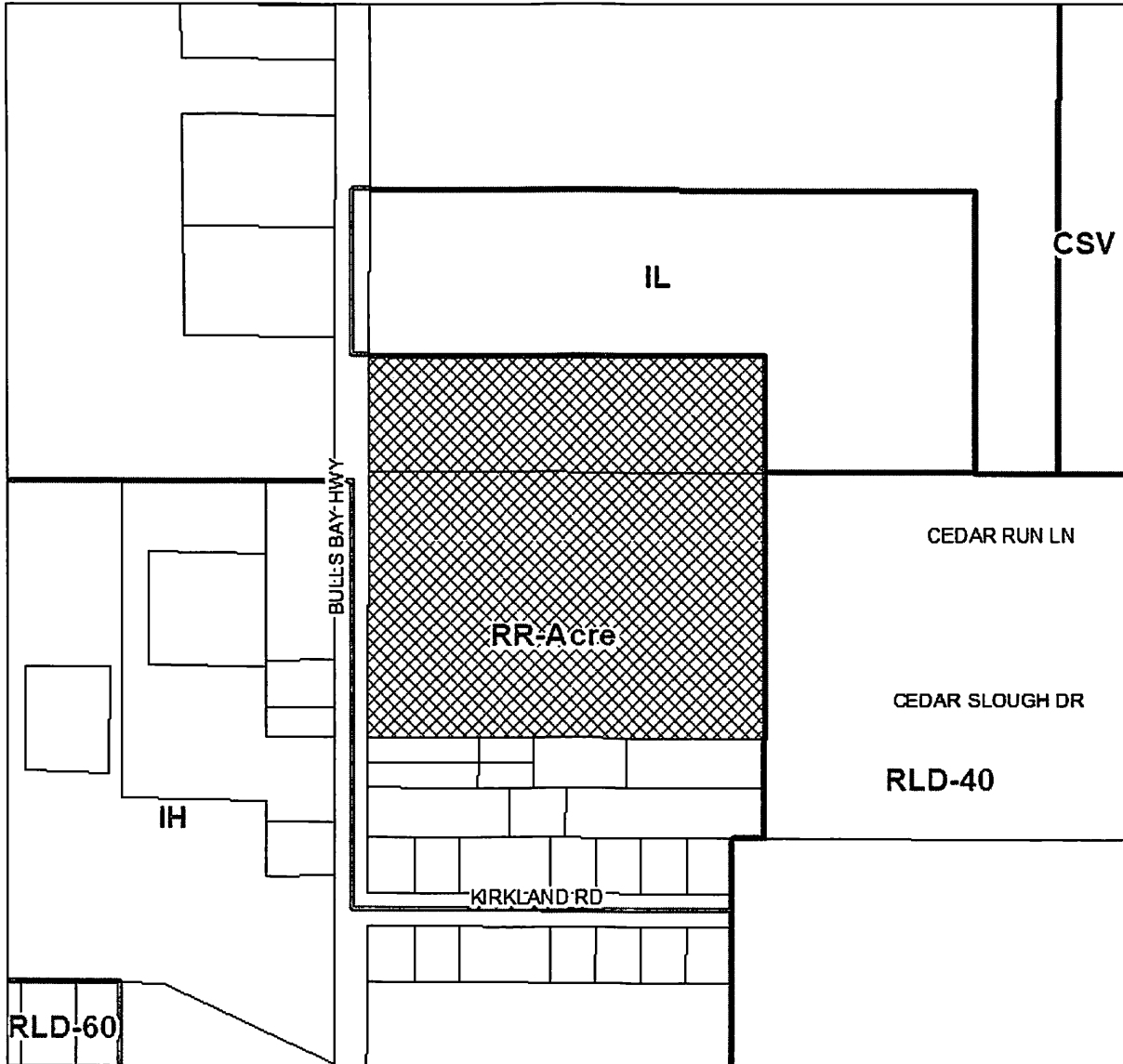
- 1.) **A maximum of two driveway entrances will be permitted along Bulls Bay Highway, or as otherwise approved by the Traffic Engineering Division.**

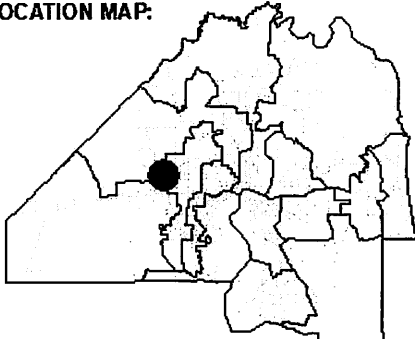
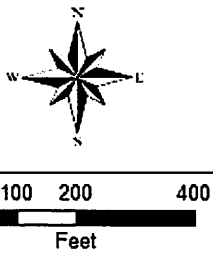


Aerial View



View of the neighboring storage yard



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	
<p>ORDINANCE NUMBER ORD-2022-0664</p>	<p>TRACKING NUMBER T-2022-4199</p>	<p>COUNCIL DISTRICT: 10</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Legal Map

Application For Rezoning To PUD

Planning and Development Department Info

Ordinance # 2022-0664 Staff Sign-Off/Date CMC / 08/02/2022

Filing Date 09/09/2022 Number of Signs to Post 4

Meeting Dates:

1st City Council 10/11/2022 Planning Commission 10/06/2022

Land Use & Zoning 10/18/2022 2nd City Council 10/25/2022

Neighborhood Association THOMAS JEFFERSON CIVIC CLUB

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4199 Application Status FILED COMPLETE

Date Started 04/04/2022 Date Submitted 04/29/2022

General Information On Applicant

Last Name	First Name	Middle Name
TRIMMER	CYNDY	

Company Name

DRIVER, MCAFEE, HAWTHORNE AND DIEBENOW, PLLC

Mailing Address

1 INDEPENDENT DRIVE, SUITE 1200

City	State	Zip Code
JACKSONVILLE	FL	32202

Phone	Fax	Email
9048070185	904	CKT@DRIVERMCAFEE.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
N/A	N/A	

Company/Trust Name

FLORIDA LAND TRUST NO. 2021-MAY 5

Mailing Address

PO BOX 817058

City	State	Zip Code
HOLLYWOOD	FL	33081

Phone	Fax	Email

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 004831 0000	10	5	RR-ACRE	PUD
P 004806 5000	10	5	RR-ACRE	PUD

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

5657

Total Land Area (Nearest 1/100th of an Acre) 11.41

Development Number

Proposed PUD Name BULLS BAY INDUSTRIAL PUD

Justification For Rezoning Application

APPLICANT SEEKS THIS REZONING TO PERMIT GENERAL INDUSTRIAL USES AND TO IMPLEMENT ENHANCED SETBACKS AND BUFFERS TO ENSURE CONSISTENCY AND COMPATIBILITY WITH THE SURROUNDING AREA.

Location Of Property

General Location

EAST OF BULLS BAY HIGHWAY AND NORTH OF KIRKLAND ROAD

House #	Street Name, Type and Direction	Zip Code
1101 & 1103	BULLS BAY HWY	32220

Between Streets

COMMONWEALTH AVENUE and OCALA AVENUE

Required Attachments For Formal, Complete application

The following items must be labeled as exhibits and attached to application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below and the PUD Check List for inclusion of information required.

- Exhibit 1** A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or metes and bounds.
- Exhibit A** Property Ownership Affidavit – Notarized Letter(s).
- Exhibit B** Agent Authorization - Notarized letter(s) designating the agent.
- Exhibit C** Binding Letter.
- Exhibit D** Written description in accordance with the PUD Checklist and with provision for dual page numbering by the JP&DD staff.
- Exhibit E** Scalable site plan with provision for dual page numbering by the JP&DD staff drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements that will be undisturbed.
- Exhibit F** Land Use Table
- Exhibit G** Copy of the deed to indicate proof of property ownership.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

- Exhibit H** Aerial Photograph.
- Exhibit I** Listed Species Survey (If the proposed site is greater than fifty acres).
- Exhibit J** Other Information as required by the Department (i.e.-*building elevations, *signage details, traffic analysis, etc.).
- Exhibit K** Site Location Map.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the

required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required SIGN(S) must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING**. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- | | |
|--|-------------------|
| 1) Rezoning Application's General Base Fee: | \$2,269.00 |
| 2) Plus Cost Per Acre or Portion Thereof | |
| 11.41 Acres @ \$10.00 /acre: | \$120.00 |
| 3) Plus Notification Costs Per Addressee | |
| 28 Notifications @ \$7.00 /each: | \$196.00 |
| 4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): | \$2,585.00 |

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

LEGAL DESCRIPTION

April 27, 2022

Parcel 1:

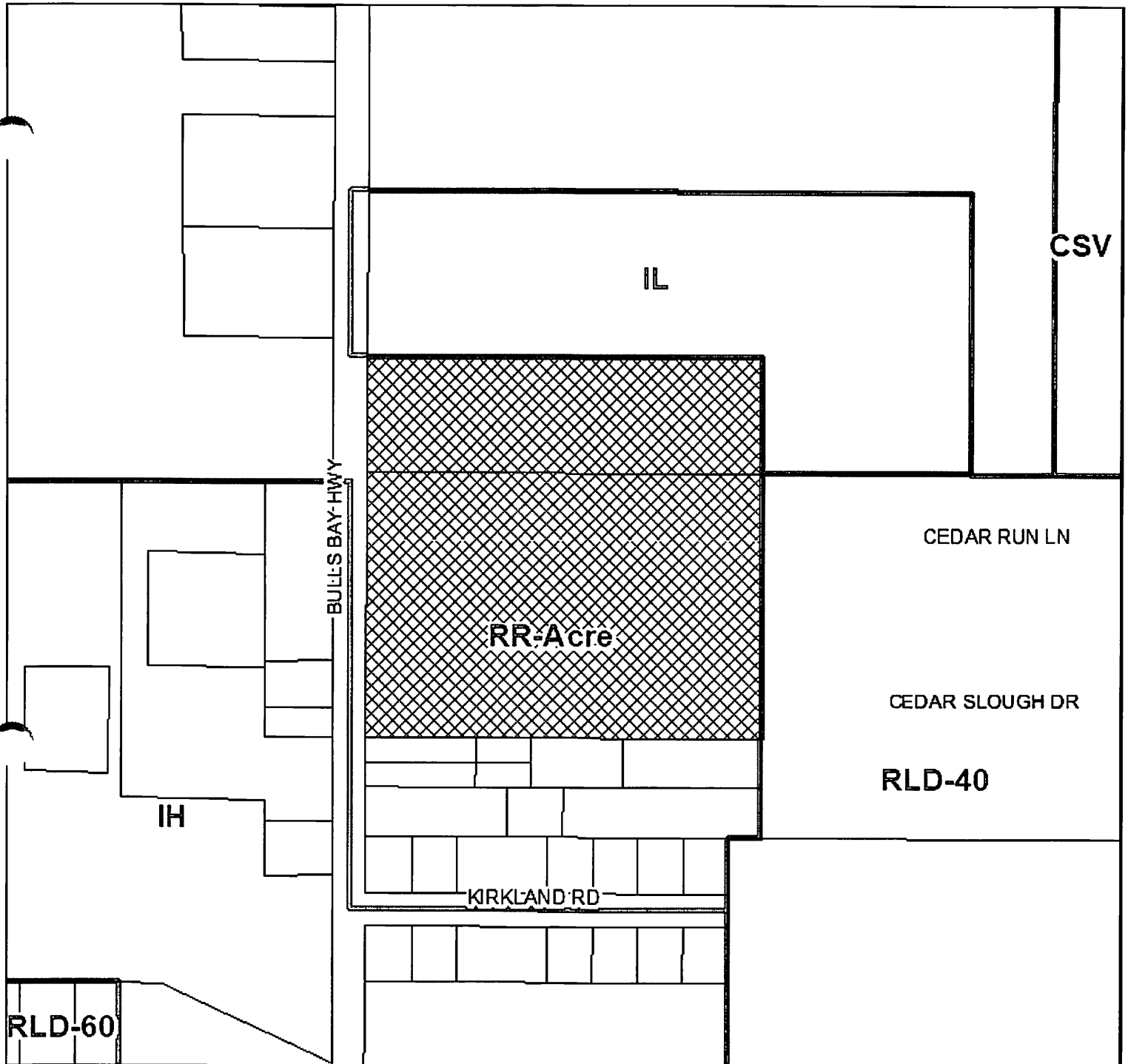
That part of the North Half (N 1/2) of Lot Fifteen (15), Section Ten (10), Township Two (2), South Range Twenty-five (25) East, and beginning at an iron stake set on the East right of way line of the County road and in the North line of said Lot 15, run thence Southerly along the East right of way of said county road 482 feet run thence East 718 feet more or less to the East line of the land of James Kirkland, run thence North 482 feet to North line of said Lot 15, thence run West 728 feet to place of beginning, and containing eight (8) acres more or less.

EXCEPT that portion in Quit-Claim Deed dated May 15, 1979, from Percy Kirkland and Bertha Kirkland, his wife, to Johnnie Mae Miller, filed May 19, 1979, Official Records Volume 4880, page 304: Commence at the intersection of the South line of the North half (N 1/2) of said Lot 15, with Bulls Bay Road; run thence North 0 degrees 13 minutes East along the East right-of-way line of Bulls Bay Road 135.5 feet; run thence South 89 degrees, 47 minutes East 200 feet to the point of beginning; continue thence South 89 degrees 47 minutes East, 200 feet; thence North 0 degrees, 13 minutes East 45 feet; thence North 89 degrees 46 minutes West, 100 feet; thence South 0 degrees, 13 minutes West 45 feet to the point of beginning.

Parcel 2:

A portion of Government Lot 10, Section 10, Township 2 South Range 25 East, Jacksonville, Duval County, Florida, more particularly described as follows: For point of reference, commence at the Southeasterly corner of said Government Lot 10, and run Westerly along the Southerly boundary of said Lot, described, continue Westerly, and along said Southerly boundary, a distance of 731-93 feet to a point in the Easterly right of way line of Bulls Bay Road (County Road No. 345) a 60 foot right of way as now established; run thence Northerly along said Easterly right of way line, a distance of 210.00 feet to a point; run thence Easterly and parallel to the Southerly boundary of said Government Lot 10, a distance of 731.98 feet to a point; run thence Southerly and parallel to said Bulls Bay Road, a distance of 210.00 feet to the point of beginning.

Said property is also known as 1101 and 1103 Bulls Bay Road, Jacksonville, Florida 32220

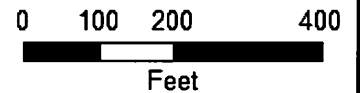
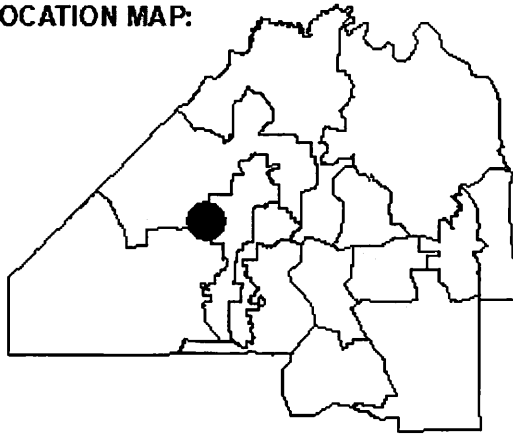


REQUEST SOUGHT:

FROM: RR-ACRE

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:
10

TRACKING NUMBER

T-2022-4199

EXHIBIT 2
PAGE 1 OF 1

**PUD WRITTEN DESCRIPTION
BULLS BAY INDUSTRIAL PUD
April 27, 2022**

I. PROJECT DESCRIPTION

- A. Number of acres, location of site, existing use, surrounding uses, types of businesses, and proposed uses: Applicant proposes to rezone approximately 11.41 acres of property to allow for industrial development on the property located at 1101 and 1103 Bulls Bay Highway (RE#s 004831 0000, 004806 5000) as more particularly described in Exhibit 1 (the “Property”) and conceptually depicted in the Site Plan filed herewith. The Property is located within the LDR land use category, the Suburban Development Area, and is zoned RR-Acre.

Applicant intends to develop the Property for general industrial uses and has filed a companion land use amendment requesting to be located in the LI land use category. Applicant intends to initially utilize the Property for open storage with the subsequent development of warehouse or other industrial facilities, subject to market demand. In order to ensure consistency with the residentially zoned parcels in the vicinity, this PUD adopts enhanced setbacks and buffers as set forth herein. The Site Plan filed herewith is conceptual and depicts the contemplated industrial facilities that will follow the open storage use.

The surrounding land use and zoning designations are as follows:

<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>	<i>Existing Use</i>
North	LI	IL	Auto sales/Auto Salvage/Junk Yard
East	LDR	RLD-40	Vacant/Undeveloped
South	LDR	RR-Acre	Vacant/Single-family
West	HI	IH	Outdoor storage/Junk Yard

- B. Project name: Bulls Bay Industrial PUD.
- C. Project engineer: England-Thims & Miller, Inc.
- D. Project developer: Florida Land Trust No. 2021 May 5.
- E. Project agent: Driver, McAfee, Hawthorne & Diebenow, PLLC.
- F. Current land use designation: LDR.
- G. Current zoning district: RR-Acre.
- H. Requested land use designation: LI.
- I. Requested zoning district: PUD.

J. Real estate numbers: 004831 0000 and 004806 5000.

II. QUANTITATIVE DATA

A. Total acreage: 11.41 acres.

B. Maximum square footage: 448,800 sf.

III. STATEMENTS

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

This PUD adopts the Zoning Code applicable to the IL zoning district, allows parking to be provided at the pertinent ITE code subject to the review and approval of the Planning and Development Department, and requires the following enhanced minimum setbacks and buffers:

1. Side setbacks of twenty (20) feet along any boundary abutting a residentially zoned parcel,
2. Rear setback of thirty (30) feet, and
3. Rear landscape buffer of thirty (30) feet.

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.

Owner will be responsible for the operation and maintenance of the areas and functions described herein and any facilities that are not provided, operated or maintained by the City.

IV. USES AND RESTRICTIONS

A. Permitted Uses:

1. Wholesaling, warehousing, storage or distribution establishments (but not concrete batch mixing plants) and similar uses.
2. Light manufacturing, processing (including food processing but not slaughterhouse), packaging or fabricating.
3. Printing, publishing or similar establishments.
4. Business and professional offices.

5. Service establishments catering to commerce and industry, including linen supply, laundry and dry cleaning plants, freight movers, communications services, business machine services, hiring and union halls, employment agencies, sign companies.
6. Restaurants (regulated by DBPR – Division of Hotels and Restaurants) including retail sale and service of beer and wine for consumption on premises.
7. Automobile service stations, major repair garages, mobile car detailing, auto laundry, and automated car wash meeting the performance standards and development criteria set forth in Part 4.
8. Vocational, technical, trade or industrial schools and similar uses.
9. Medical clinics.
10. Freight, bus, trucking, shipping or other transportation terminals, commercial parking lots and garages, truck stops, express offices and terminal facilities and telephone exchanges, repair or installation facilities and similar uses.
11. Radio or television broadcasting offices, studios, transmitters, telephone and cellular telephone towers.
12. Scrap processing, indoor, clean activity, meeting the performance standards and development criteria set forth in Part 4.
13. Bulk storage yards, (but not concrete batch mixing plants) including bulk storage of flammable liquids and acids if storage not within a completely enclosed building or structure is visually screened by a six (6) foot fence or wall not less than ninety-five percent (95%) opaque.
14. Building trades contractors with outside storage yards and heavy construction equipment if storage, including heavy construction machinery, not within a completely enclosed building or structure, is visually screened by a six (6) foot fence or wall not less than ninety-five percent (95%) opaque.
15. Outdoor storage yards and lots including auto storage yards (but not scrap processing yards or concrete batch mixing plants) if storage is completely enclosed by a six (6) foot fence or wall not less than ninety-five percent (95%) opaque.
16. Retail outlets in conjunction with wholesaling establishments if the area designated for retail sales does not exceed ten percent (10%) of the gross floor area of the building of which it is a part.
17. Banks, including drive-thru tellers.

18. Recycling facilities meeting the performance standards and development criteria set forth in Part 4.
19. Retail sales of heavy machinery, farm equipment and building materials including outside display.
20. Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria set forth in Part 4.
21. Veterinarians, animal boarding, and dog parks meeting the performance standards and development criteria set forth in Part 4.

B. Permissible Uses by Exception:

1. An industrial or commercial use which is not otherwise permitted or permissible in this Zoning Code, except the following:
 - a. Acid, chemical, fertilizer or insecticide manufacture or storage.
 - b. Explosives manufacturing or storage.
 - c. Paint, oil (including linseed), shellac, turpentine, lacquer or varnish manufacture.
 - d. Paper and pulp manufacture.
 - e. Petroleum refining.
 - f. Stockyards or feeding pens and livestock auctions.
 - g. A use which is potentially dangerous, noxious or offensive to neighboring uses or the public in general by reason of smoke, odor, noise, flare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter or radiation.
2. Recycling facilities and yards meeting the performance standards and development criteria set forth in Part 4.
3. Care centers meeting the performance standards and development criteria set forth in Part 4.
4. Churches, including a rectory and similar uses, meeting the performance standards and development criteria set forth in Part 4.
5. Retail sales and service of all alcoholic beverages for either off-premises consumption or on-premises consumption or both.

6. Retail sales including outside display.
7. Yard waste composting facility including the mulching process, meeting the performance standards and development criteria set forth in Part 4.
8. Manual car wash.
9. Fitness centers.

C. Permitted Accessory Uses and Structures:

1. As permitted in Section 656.403.
2. Residential facilities (including not more than one (1) mobile home) located on the same premises as an industrial use for the use of watchmen or caretakers whose employment requires residence on the premises.

V. DESIGN GUIDELINES

A. Lot Requirements:

1. Minimum lot width and area: None.
2. Maximum lot coverage by all buildings. None.
3. Minimum building setback:
 - a. Front – None.
 - b. Side – Twenty (20) feet along any boundary abutting a residentially zoned parcel. There shall be no minimum side setback from boundaries abutting non-residentially zoned property.
 - c. Rear – Thirty (30) feet.
4. Maximum height of structures:
 - a. None.

B. Ingress, Egress and Circulation:

1. *Parking Requirements.* Parking shall be provided pursuant to Part 6 of the Zoning Code or the applicable ITE code subject to the review and approval of the Planning and Development Department.

2. *Vehicular Access.* Vehicular access to the Property shall be by way of Bulls Bay Highway, substantially as shown on the Site Plan.

3. *Pedestrian Access.* As required by the 2030 Comprehensive Plan.

C. **Signs:** Signs for this development shall be consistent with the requirements for industrial zoning districts as set forth in Part 13 of the Zoning Code.

D. **Landscaping:** Landscaping shall be provided as required pursuant to Part 12 of the Zoning Code, except that a thirty (30) foot landscape buffer shall be provided along the eastern boundary of the Property.

E. **Recreation and Open Space:** Recreation and open space shall be provided as required by the 2030 Comprehensive Plan.

F. **Utilities:** Essential services, including water, sewer, gas, as required to serve the project shall be permitted on the site. Water, sanitary sewer and electric will be provided by JEA.

G. **Wetlands:** Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.

VI. JUSTIFICATION FOR PLANNED UNIT DEVELOPMENT CLASSIFICATION FOR THIS PROJECT

In accordance with Section 656.341(d) of the Code the PUD meets the applicable Criteria for review as follows:

A. **Consistency with the Comprehensive Plan.** The proposed PUD is consistent with the general purpose and intent of the City's 2030 Comprehensive Plan and Land Use Regulations, will promote the purposes of the City's 2030 Comprehensive Plan and specifically contributes to:

Future Land Use Element

1. Policy 1.1.8 - Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.

2. Policy 1.1.9 - Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

3. 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.
 4. Policy 1.1.16 - Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:
 - (1) Creation of like uses;
 - (2) Creation of complementary uses;
 - (3) Enhancement of transportation connections;
 - (4) Use of noise, odor, vibration and visual/ aesthetic controls; and/or
 - (5) Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses.
 5. 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.
 6. Policy 3.2.7 – The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.
 7. Policy 4.1.2 - The City shall require that all development conform to the densities and intensities established in the Future Land Use Map series and Operative Provisions of this element and be consistent with the plan.
- B. Consistency with the Concurrency Management System.** All development will secure necessary approvals from the CMMSO and pay all required fees in accordance with Chapter 655 of the Code.
- C. Allocation of residential land use.**
- Residential use is not proposed in this PUD.
- D. Internal compatibility.** The Site Plan attached as Exhibit E addresses access and circulation within the site. Access to the site is available from Bulls Bay Highway. Location of the access points shown on the Site Plan as well as final design of the access points is subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.
- E. External compatibility/ Intensity of development.** The proposed development is consistent with and complimentary to existing uses in the area. Industrial land use exists

to the north and west of the Property. Both areas are utilized for outdoor storage and junk yard type uses.

- F. **Usable open spaces, plazas, recreation areas.** Open space in compliance with the 2030 Comprehensive Plan will be provided.
- G. **Impact on wetlands.** Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- H. **Listed species regulations.** The Property is less than fifty (50) acres and therefore a listed species survey is not required.
- I. **Off-Street parking including loading and unloading areas.** The proposed PUD provides parking pursuant to the Zoning Code or the applicable ITE code.
- J. **Sidewalks, trails and bikeways.** Pedestrian circulation will be addressed consistent with the 2030 Comprehensive Plan.

PROJECTED: March 30, 2022 - 3:03 PM, BT Corp. Drawing

PROJECTED: March 30, 2022 - 3:03 PM, BT Corp. Drawing

ETM
 Englund-Thompson & Miller, Inc.
 4775 Old Augustine Road
 Jacksonville, FL 32208
 TEL: 904.642.8888
 FAX: 904.642.8888
 REG. 2584, L.C. 1000318

CONCEPT PLAN
BULLS BAY
3/30/22

SITE DATA TABLE

LOCATION:	QTY OF JACKSONVILLE
SITE AREA:	11.41 A.C.
BUILDING AREA:	178,000 SF
PARKING PROVIDED:	1 SPACES PER 2,000 SF = 88
	88 SPACES, INCLUDING 4 HANDICAP



- CONCEPT PLAN NOTES**
1. THIS DRAWING IS INTENDED FOR CONCEPTUAL SITE PLANNING ONLY. THE SITE PLAN IS SUBJECT TO CHANGE BASED UPON FINAL DESIGN AND LOCAL LAND DEVELOPMENT CODES.
 2. EXISTING UTILITIES AND FACILITY SHOWN ON THIS PLAN ARE CONCEPTUAL ONLY AND IS SUBJECT TO CHANGE UPON FINAL DESIGN.
 3. NO SITE VISIT HAS BEEN MADE TO VERIFY ACCURACY OF ORIGINAL MAKE SERVICES.
 4. THIS DRAWING IS NOT INTENDED TO BE USED FOR CONSTRUCTION AND PERMITTING PURPOSES.

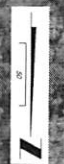


EXHIBIT F

Land Use Table

Total gross acreage	<u>11.41</u> Acres	<u>100</u> %
Amount of each different land use by acreage		
Single family	<u> </u> Acres	<u>0</u> %
Total number of dwelling units	<u> </u> D.U.	
Multiple family	<u> </u> Acres	<u>0</u> %
Total number of dwelling units	<u> </u> D.U.	
Commercial	<u> </u> Acres	<u> </u> %
Industrial	<u>11.41</u> Acres	<u>100</u> %
Other land use (Hospital and related uses)	<u> </u> Acres	<u> </u> %
Active recreation and/or open space	<u> </u> Acres	<u> </u> %
Passive open space	<u> </u> Acres	<u> </u> %
Public and private right-of-way	<u> </u> Acres	<u> </u> %

The land use estimates in this table are subject to change within the allowable densities and intensities of use, as set forth in the PUD Written Description. The maximum coverage by buildings and structures is subject to the PUD Written Description.