



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
214 N. Hogan St., Suite 300
Jacksonville, FL 32202
(904) 630-CITY
Jacksonville.gov

February 8, 2024

The Honorable Ronald B. Salem, Pharm. D., 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.: 2023-856 **Application for: CFA Duval Station PUD**

Dear Honorable Council President Salem, 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 August 31, 2023.**
- 2. The original written description dated December 1, 2023.**
- 3. The original site plan dated November 10, 2023.**

Recommended Planning Commission Conditions to the Ordinance:

Planning Commission conditions:

- 1. A traffic study shall be provided at Civil Site Plan Review. Prior to the commencement of the traffic study, the traffic professional shall conduct a methodology meeting to determine the limits of the study. The methodology meeting shall include the Chief of the Traffic Engineering, the Chief of the Transportation Division, and the traffic reviewer from Development Services.**
- 2. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles ("f.c."). All lighting lamp**

sources within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. An exterior lighting design plan, including a photometrics plan, pole and fixtures schedules shall be submitted at the time of Verification of Substantial Compliance for review and approval by the Planning and Development Department.

Planning Department conditions:

- 1. A traffic study shall be provided at Civil Site Plan Review. Prior to the commencement of the traffic study, the traffic professional shall conduct a methodology meeting to determine the limits of the study. The methodology meeting shall include the Chief of the Traffic Engineering, the Chief of the Transportation Division, and the traffic reviewer from Development Services.**
- 2. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles ("f.c."). All lighting lamp sources within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. An exterior lighting design plan, including a photometrics plan, pole and fixtures schedules shall be submitted at the time of Verification of Substantial Compliance for review and approval by the Planning and Development Department.**

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

Planning Commission Commentary: There were 15 speakers in opposition whose concerns were traffic in the neighborhood, student safety and drainage.

Planning Commission Vote: **4-3**

Charles Garrison, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mark McGowan, Secretary	Aye
Lamonte Carter	Nay
Amy Fu	Aye
Julius Harden	Absent
Mon'e Holder	Absent
Ali Marar	Nay
Jack Meeks	Nay

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
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2023-0856 TO
PLANNED UNIT DEVELOPMENT

FEBRUARY 8, 2024

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 **2023-0856** to Planned Unit Development.

Location: 0 Lady Lake Road, 0 Bradley Cove Road
Between Lady Lake Road West and Duval Station
Road

Real Estate Number: 106606-5037, 106606-0000

Current Zoning District: Planned Unit Development (PUD) 2008-0514
Planned Unit Development (PUD) 2015-0049

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Planning District: North, District 6

Council District District 8

Applicant/Agent: Thomas Ingram, Esq.
Sodl and Ingram PLLC
233 E Bay Street, Suite 1113
Jacksonville, FL 32202

Owner: Ramzy Bakkar
RBSSSS LLC
320 1st Street North, Suite 706
Jacksonville Beach, FL 32250

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2023-0856** seeks to rezone approximately 1.39± acres of land from Planned Unit Development (PUD) (**Ord. #2015-0049**) to Planned Unit Development

(PUD). The rezoning is being sought to make changes to the conditioned site plan dated February 18, 2015 through the current PUD Ordinance # 2015-0049.

The subject properties were a part of the original 300-acre North Creek PUD development approved through PUD Ord. #1999-0006, which allowed for the development of 550 single family dwellings and 16 acres of neighborhood commercial uses fronting Duval Station Road and Starratt Road. Included in the neighborhood commercial uses was drive-thru facilities in conjunction with a permitted or permissible use or structure would be permitted.

Subject properties were rezoned in 2008 through PUD Ord. #2008-0514 to clarify both parcels were within the Commercial Neighborhood development and to create shared access, parking, and signage requirements consistent with the existing commercial development originally permitted within the North Creek PUD. Uses were again consistent with the CN zoning district including fast food restaurants with drive-thru sales and service.

Property (RE: 106606-0000) was rezoned again in 2015 through PUD Ord. #2015-0049 to provide modified development standards and to submit a new site plan. The updated site plan included ingress and egress along Duval Station Road and showed plans for a proposed McDonalds Fast Food Restaurant. The new Site Plan was reviewed by City Traffic Engineering who issues Development Services Memo dated January 15, 2015 stating, “there shall be no access connection to Duval Station Road”. Though Development Services had concerns with the connection to Duval Station Road, the City Council voted to approve the PUD with the condition the subject property be developed in accordance with the revised site plan dated February 18, 2015.

To develop the property any different from the conditioned site plan the properties would need to be rezoned, approved by the City Council. Note, the site could be developed as a fast-food restaurant today with no additional application if the layout matched the conditioned Site Plan of the current PUD.

PUD Ord. 2015-0049-E was additionally approved with the following conditions:

1. The subject property shall be developed in accordance with the revised site plan dated February 18, 2015.
2. The subject property shall be developed in accordance with the Development Services Division Memorandum dated January 21, 2015 or as otherwise approved by the Planning and Development Department attached hereto as Exhibit 3.
3. The monument sign on Lady Lake Road shall be located a minimum of 100 feet from the western boundary of the property. The monument sign on Duval Station Road shall be located a minimum of 50 feet from the western boundary of the property.
4. A landscape buffer shall be installed and maintained along the west property line, consisting of 3.5 inch caliper, 65 gallon Florida Fancy trees spaced seven (7) feet on center. Permitted trees include Southern Magnolia, Southern Red Cedar and Nellie Stevens Holly. Additional landscaping shall be as depicted on Exhibit 4, attached hereto.
5. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles (“f.c.”). All lighting lamp sources

within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. An exterior lighting design plan, including a photometrics plan, pole and fixtures schedules shall be submitted at the time of Verification of Substantial Compliance for review and approval by the Planning and Development Department.

6. The following uses are prohibited in the PUD: a liquor store, a tattoo parlor and/or adult novelty book store.
7. Item #1 in the Development Services Division memorandum shall be deleted to allow a right in/right out only access to Duval Station Road.
8. Subject to approval of the City Traffic Engineer and the Planning and Development Department, the developer shall install lane delineator posts in Duval Station Road to prevent a left turn out of the property onto Duval Station Road, or into the property from Duval Station Road.

The Planning & Development Department has reviewed the conditions of the enacted ordinance and will forward the following conditions:

Condition #5: All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles (“f.c.”). All lighting lamp sources within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. An exterior lighting design plan, including a photometrics plan, pole and fixtures schedules shall be submitted at the time of Verification of Substantial Compliance for review and approval by the Planning and Development Department.

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 2045 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2045 Comprehensive Plan. The 1.39-acre subject site is located on the north side of Duval Station Road, just west (approximately 0.14 of a mile) of the intersection with Starratt Road. Both Duval Station Road and Starratt Road are classified as collector roadways. The subject site is in Council District 8 and in the North Jacksonville Planning District (Planning District 6).

The LDR land use category allows Neighborhood Commercial retail sales and service establishments, office, and restaurants, when the site is located at the intersection of roads classified as collector or higher. However, a logical extension and expansion of existing commercial uses are exempt from the roadway classification and intersection requirements. The proposed site is less than 0.14 of a mile from the intersection of two collector roadways, Duval

Station Road and Starratt Road. Additionally, the site is a continuation and expansion of commercial uses from the Duval Station Road and Starratt Road intersection to the west. The larger North Creek PUD includes a mix of residential and neighborhood commercial type uses. The neighborhood commercial type uses that are included in the PUD are consistent with the allowed secondary uses of the LDR land use category.

The proposed PUD rezoning that includes a change to the PUD site plan for Ordinance 2023-856, the North Creek Commercial Outparcel PUD, continues to be consistent with the LDR land use category and is consistent with the 2045 Comprehensive Plan.

(B) Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?

This proposed rezoning to Planned Unit Development is consistent with the 2045 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element (FLUE):

Policy 1.1.9

Promote the use of Planned Unit Developments (PUD) zoning districts, cluster developments, and other innovative site planning and smart growth techniques in order to allow for appropriate combinations of complementary land uses, densities and intensities consistent with the underlying land use category or site-specific policy, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

The property has been zoned Planned Unit Development allowing neighborhood commercial uses since 1999. The first PUD rezoned the property from RR to PUD to allow for residential and commercial neighborhood uses, as this is located within the LDR land use category. Lastly, in 2015, the PUD was rezoned for a proposed McDonald's restaurant specific to the site plan dated February 18, 2015. Now, the applicant wants to keep the same uses, but update the site plan to allow for better on-site circulation and vehicle staking, keeping within the Commercial Neighborhood development standards approved through previous PUDs.

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 addition of a fast-food restaurant at this location would promote a well-balanced organization of residential to non-residential uses. As there are single family dwellings to the northwest and a little farther to the southeast, there is also the First Coast High School just south of the subject property across Duval Station Road. Additionally, there is a

convenience store and shopping center to the east of the subject property. This provides a balance of residential to non-residential uses and aligns with Goal 3.

Airport Environment Zone

The site is located within the 300-foot Height and Hazard Zone for Jacksonville International Airport. Zoning will limit development to a maximum height of 300 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 2.6

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 intended development will meet all portions of the City's land use regulations and further 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 2045 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 Planning and Development Department finds that the proposed PUD is consistent with the 2045 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. The below information is what is in the Concurrency system regarding this proposed development:

MOB # 118343.0 / CRC # 118343.1 / City Dev. # 7609.005: Duval Station Developers: Chick-Fil-A

\$210,671 Mobility Fee due for 5,000 enclosed square footage for the Chick-Fil-A

This development is subject to mobility fee review and Pursuant to Policies 4.1.4, 4.1.5, and 1.1.8 of the Transportation Element of the 2045 Comprehensive Plan

(3) Allocation of residential land use

This proposed Planned Unit Development is being requested to update the site plan for a new fast-food restaurant. It is important to note that “multi-family residential vertically integrated with a permitted use on the ground floor” is allowed as stated on the written description. Moreover, this proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2045 Comprehensive Plan’s Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2045 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: Recreation and open space shall be provided as required by the 2045 Comprehensive Plan. The written description states that at least ten percent of the North Creek PUD remains in passive open space.

The use of existing and proposed landscaping: This development will comply with Part 12 Landscape Regulations of the Zoning Code. A 10-foot-wide landscape buffer will be installed and maintained along the west property line, consisting of 3.5-inch caliper, 65-gallon Florida Fancy trees spaced seven (7) feet on center. Permitted trees include Southern Magnolia, Southern Red Cedar and Nellie Stevens Holly. Additionally, an existing brick wall and landscaped area on property owned by the North Creek Homeowners Association adjacent to Bradley Cove Road, which will add additional buffering.

The treatment of pedestrian ways: Sidewalks are provided along Duval Station Road, Bradley Cove Road and Lady Lake Road connecting the residential and commercial components of the North Creek PUD. Sidewalks on the Property will comply with the applicable requirements of the Zoning Code, 2045 Comprehensive Plan, and Land Development Procedures Manual.

Traffic and pedestrian circulation patterns: The parcel will have access on Lady Lake Road with two ingress and egress points. The proposed site plan includes two lanes for a drive through. Traffic Engineer with Development Services reviewed the proposed site plan and issued the following comments:

- A traffic study shall be provided at Civil Site Plan Review. Prior to the commencement of the traffic study, the traffic professional shall conduct a methodology meeting to determine the limits of the study. The methodology meeting shall include the Chief of the Traffic

Engineering Division, the Chief of the Transportation Division and the traffic reviewer from Development Services.

- Traffic division does not want an entrance from Duval Station Drive.

The subject site is approximately 1.39 acres and is accessible by Duval Station Rd, a collector facility. Duval Station Rd between Main St (US 17) and Starrat Rd is currently operating at 52% of capacity. This segment currently has a maximum daily capacity of vehicles per day 22,400 (vpd) and average daily traffic of 11,736 vpd.

The applicant requests 5,000 square feet of fast food (ITE Code 934), which could produce 2,337 daily trips.

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: The proposed site plan modifies the orientation of the building from North-South to East-West with the building being parallel to Duval Station Road. This orientation removes the ingress/egress along Duval Station Road to allow for an increase in vehicle staking assisting with retaining vehicles on-site rather than overflowing into City Right-of-Ways. The area available for stacking of vehicles would increase from approximately 16 vehicles to approximately 34 vehicles. Site Plan also indicates there will be 58 off-street parking spaces and 3 ADA spaces for a total of 61 spaces.

(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 subject parcels are located at the corner of Duval Station Road and Bradley Cove Road with access along Lady Lake Road. Properties to the Northwest are developed with single family residential approved through the North Creek PUD in 1999. Development to the east includes neighborhood commercial consisting of a grocery store, gas station, restaurants, daycare and bank. South across Duval Station Road is First Coast High School zoned PBF-1. The proposed PUD will provide supporting commercial uses for the businesses and employees that work and live in the area.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	PUD: 2007-0081	Vacant, Single-Family Dwellings
South	PBF	PBF-1	First Coast High School
East	LDR	PUD: 2007-0081	Convenience store/gas station
West	LDR	PUD: 2007-0081	Single Family Dwellings

(6) Intensity of Development

The proposed development is consistent with the Low Density Residential (LDR) functional land use category with specific reference to the following:

The location of various proposed uses within the proposed PUD and the degree of compatibility of such uses with each other and with surrounding uses: The subject parcels are located within the North Creek PUD which was originally approved in 1999 to allow for a mix of residential and neighborhood commercial. Neighborhood commercial allows for uses to serve the needs of contiguous residential neighborhoods when appropriately placed abutting roadways classified as collector or higher. The intent of the North Creek PUD was to provide commercial uses to the surrounding residential communities, appropriately placed near the intersection of Duval Station Road and Starratt Road, both classified as collector roadways.

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 December 27, 2023, JEA states that water, sewer and electric connections are to be consistent with JEA design standards, processes, and procedures. Final project design to meet the JEA Design Standards in effect at the time of construction plan approval. Additional service and design elements will be addressed following applicant's construction plan review submittal.

(7) Usable open spaces plazas, recreation areas.

Recreation and open space shall be provided as required by the 2045 Comprehensive Plan. The written description states that at least 10 percent of the PUD remains in 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 did not identify any 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 parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

A sidewalk connection is provided from the subject property to the sidewalk along Duval Station Road. There is a sidewalk that connects the residential and commercial uses that is already in place. Additionally, the written description states that the sidewalks on the subject property will

comply with the Zoning Code, 2045 Comprehensive Plan, and the Land Development Procedures Manual.

SUPPLEMENTARY INFORMATION

Upon visual inspection by the Planning and Development Department on **January 10, 2024**, that the Notice of Public Hearing signs were posted.



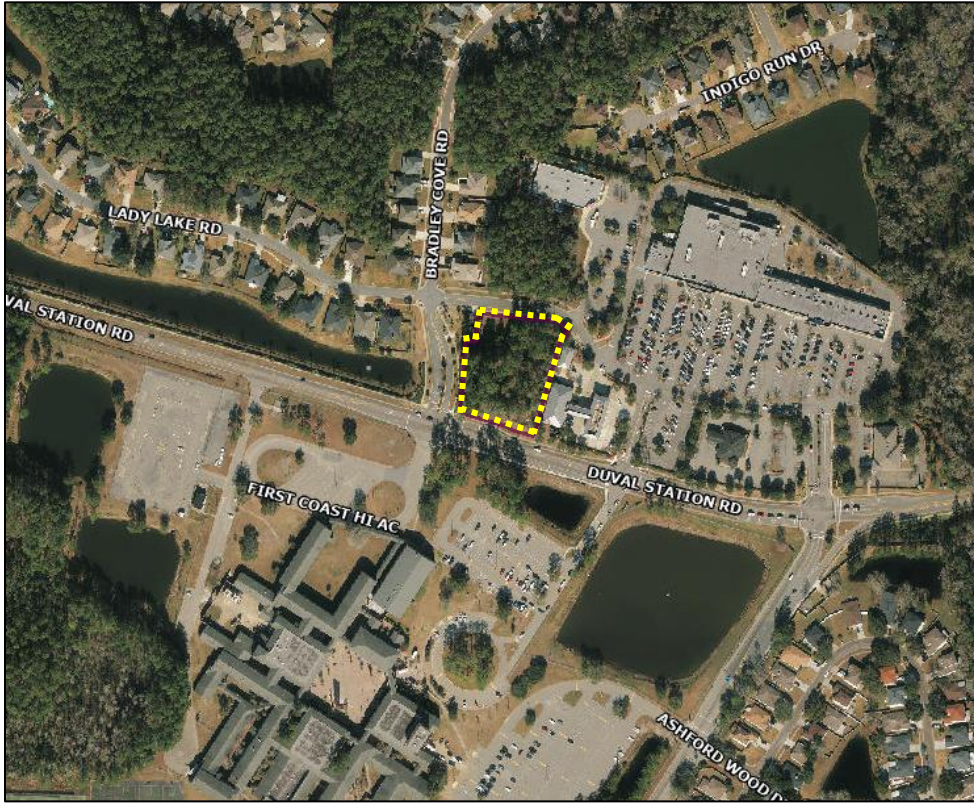
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0856** be **APPROVED with the following exhibits:**

- The original legal description dated August 31, 2023.**
- The original written description dated December 1, 2023.**
- The original site plan dated November 10, 2023.**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2023-0856** be **APPROVED with the following conditions:**

1. A traffic study shall be provided at Civil Site Plan Review. Prior to the commencement of the traffic study, the traffic professional shall conduct a methodology meeting to determine the limits of the study. The methodology meeting shall include the Chief of the Traffic Engineering, the Chief of the Transportation Division, and the traffic reviewer from Development Services.
2. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one-half (.5) foot candles ("f.c."). All lighting lamp sources within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. An exterior lighting design plan, including a photometrics plan, pole and fixtures schedules shall be submitted at the time of Verification of Substantial Compliance for review and approval by the Planning and Development Department.



Aerial View



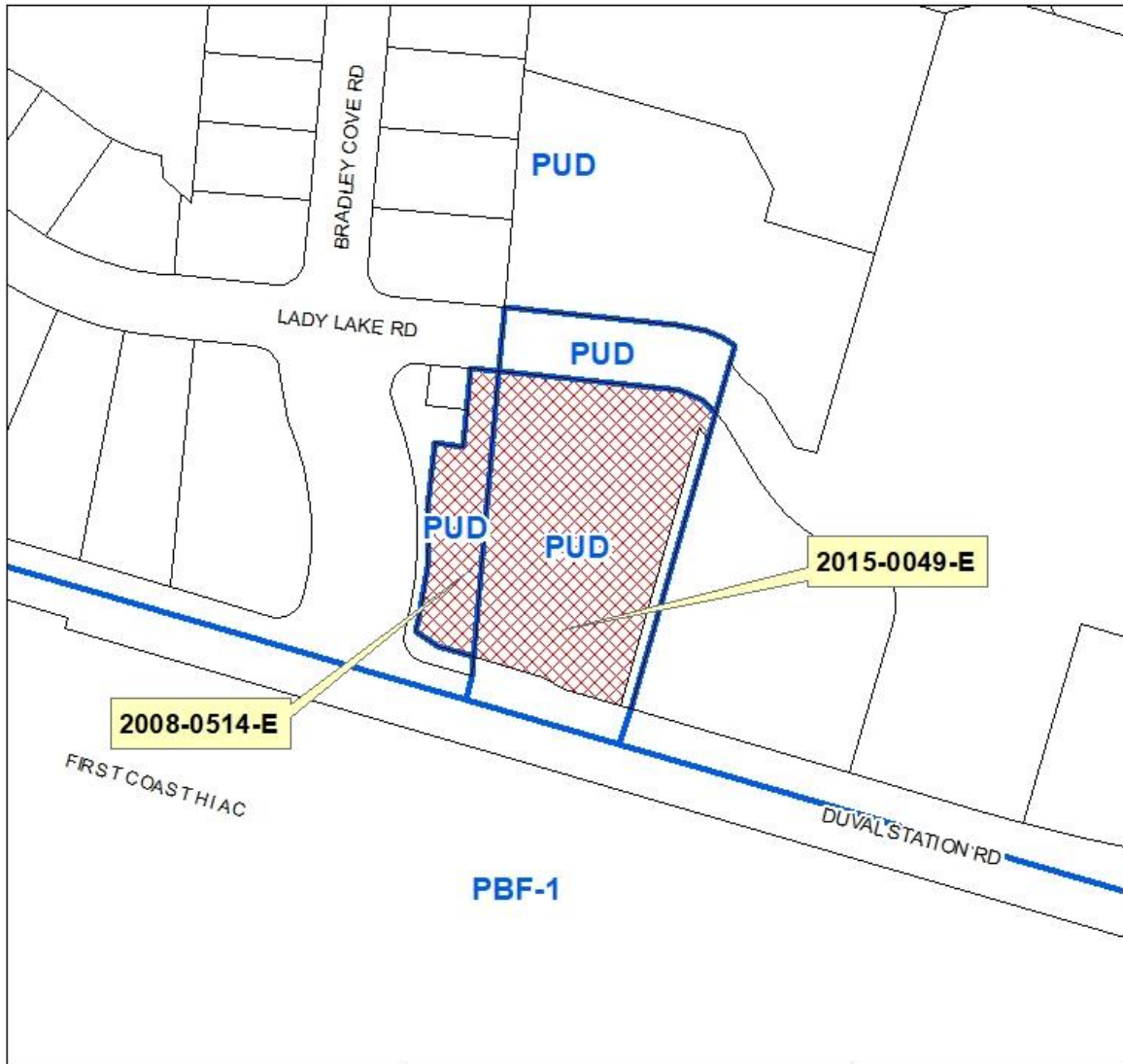
View of Subject Property from Lady Lake Road West.

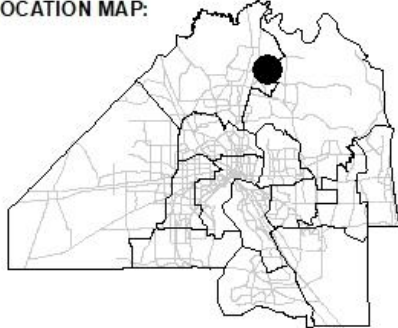
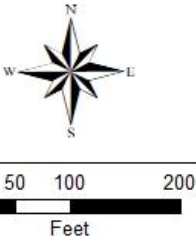


View of Subject Property from corner of Lady Lake Road West and Bradley Cove Road.



View of Entrance to North Creek subdivision facing Duval Station Road.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER</p> <p>T-2023-5192</p>	 <p>0 50 100 200 Feet</p> <p>COUNCIL DISTRICT:</p> <p>8</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>
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Legal Map