



Planning Commission Vote:	7-0
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
David Hacker	Aye

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

Sincerely,



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**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2023-0198 TO**  
**PLANNED UNIT DEVELOPMENT**

**APRIL 20, 2023**

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 **2023-0198** to Planned Unit Development.

<b><i>Location:</i></b>	0 1 <sup>st</sup> Avenue, between Joel Lee Road and Parkway Boulevard
<b><i>Real Estate Numbers:</i></b>	107887 0010
<b><i>Current Zoning District:</i></b>	Commercial Community/General-2 (CCG-2) Residential Rural-Acre (RR-Acre)
<b><i>Proposed Zoning District:</i></b>	Planned Unit Development (PUD)
<b><i>Current Land Use Category:</i></b>	Community/General Commercial (CGC) Low Density Residential (LDR)
<b><i>Proposed Land Use Category:</i></b>	Community/General Commercial (CGC) Low Density Residential (LDR)
<b><i>Planning District:</i></b>	North – District 6
<b><i>Applicant/Agent:</i></b>	Mike Herzberg 12483 Aladdin Road Jacksonville, Florida 32223
<b><i>Owners:</i></b>	First and Main Land Trust 1919 Blanding Boulevard, Suite 6 Jacksonville, FL 32210
<b><i>Staff Recommendation:</i></b>	<b>APPROVE WITH CONDITIONS</b>

### **GENERAL INFORMATION**

Application for Planned Unit Development **2023-0198** seeks to rezone approximately 1.05± acres of land from Commercial Community/General-2 (CCG-2) and Residential Rural-Acre (RR-Acre) to Planned Unit Development (PUD). The rezoning to a PUD is being sought in order to rezone the portion of the property currently zoned as residential to commercial and to allow for office, retail, and warehouse uses.

There is a companion Land Use Amendment (2023-0197/L-5731-22C) to amend a portion of the property currently in the Low Density Residential (LDR) category to Community/General Commercial (CGC).

### **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?***

The 1.05 acre subject site is located on the east side of Main Street North (SR17) between Main Street North and 1<sup>st</sup> Avenue. According to the City's Functional Highways Classification Map, Main Street North is a major arterial roadway. The subject site is also located in Planning District 6 (North), Council District 7 and the Urban Development Area.

Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods to reduce the number of Vehicle Miles Traveled. CGC in the Urban Development Area also allows for multi-family residential at densities up to 40 units per acre in the Urban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of a development. The allowed uses in the subject PUD written description are consistent with the intent of the CGC land use category.

Low Density Residential (LDR) in the Urban Development Area is intended to provide for low-density residential development. Residential development is permitted at up to seven (7) dwelling units per acre where centralized water and sewer are available. The stormwater pond facility proposed in the PUD is permitted in the LDR land use category.

***(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 1.1.10**

Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

**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.

**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.

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

The written description and the site plan of the intended development meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

***(1) Consistency with the 2030 Comprehensive Plan***

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, with the approval of the companion Land Use Amendment

(2023-0197/L-5731-22C) 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) and Low Density Residential (LDR). Furthermore, Staff finds the proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, as previously 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 the subject parcel for office, retail, and warehouse uses. 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 use of existing and proposed landscaping:** The submitted site plan shows a proposed 10 foot landscape buffer along the property boundary abutting residential, along with a 6 foot tall 95% opaque fence, and existing vegetation to remain.

**The use and variety of building setback lines, separations and buffering:** There is an existing stormwater pond on the eastern portion of the property that will remain, and provide buffering between the proposed commercial uses and the existing residential to the east, north, and south.

**Traffic and pedestrian circulation patterns:** The subject property will be accessible via one access point along North Main Street.

***(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:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Property Use</u>
North	CGC/LDR	CCG-2/RR-Acre	Single-Family Dwellings
South	CGC/LDR	CCG-2/RR-Acre	Single-Family Dwellings, Vacant
East	LDR	RR-Acre	Single-Family Dwellings
West	CGC/LI	CCG-2/IL	Railroad, Warehouse

***(6) Intensity of Development***

The proposed development is consistent with the CGC and LDR functional land use categories.

**The existing residential density and intensity of use of surrounding lands:** There are residential uses to the north, south, and east of the subject property. The applicant will be required to provide landscaping and buffering due to uncomplimentary land uses.

**The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:** The proposed development will have direct access via New Kings Road. The Traffic Engineer has reviewed the application and has issued comments. **Staff supports the Engineer's findings and forwards the following:**

- Unless otherwise exempted by the Planning and Development Department, this site shall provide cross accesses to the property lines to the north and south CGC-2 zoned parcels in accordance with City of Jacksonville Code of Ordinances 654.115 (f).
- Main Street N is an FDOT right of way. Permitting for access to this ROW shall be through FDOT.

The application was also forwarded to the Transportation Planning Division. The following comments were issued:

The subject site is approximately 1.05 acres and is accessible from Main St (US 17), a principle arterial. Main St between SR 9A and Pecan Park Rd is currently operating at 66.3% of capacity. This segment currently has a maximum daily capacity of 17,700 vehicles per day (vpd) and average daily traffic of 11,740 vpd.

This PUD is a companion to pending small-scale land use application L-5731-22C (2023-0197). The applicant requests 10,000 square feet of office space (ITE Code 710), which could produce 108 daily trips.

This development is subject to mobility fee review and Pursuant to Policies 4.1.2 and 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan.

The application was also forwarded to the Florida Department of Transportation. The following comments were issued:

The applicant will need to coordinate with the FDOT Permits office regarding the proposed

connection to US-17.

FDOT has programmed a capacity improvement project to add lanes and reconstruct US-17 from S. of New Berlin Road to Airport Center Drive (FPID 209411-8). Construction is estimated to begin in FY 2026.

Table 1 shows trip generation based on the plan of development using ITE’s Trip Generation Manual, 11th Edition.

**Table 1**

<b>Land Use</b>	<b>ITE Code</b>	<b>Size</b>	<b>Units</b>	<b>Daily Trips</b>	<b>AM Peak Trips</b>	<b>PM Peak Trips</b>
Small Office Building	710	10,000	Sq. Ft.	144	17	22

**Roadway Capacity**

Table 2 shows the maximum level of service and peak hour volume for US-17 according to FDOT’s *Florida State Highway System Level of Service Report*, dated July 2022.

**Table 2**

<b>County</b>	<b>Road</b>	<b>Segment ID</b>	<b>Segment</b>	<b>FDOT LOS Standard</b>	<b>Maximum Service Volume</b>	<b>2021 Peak Hour Volume</b>	<b>2021 Peak LOS</b>	<b>2027 Peak Hour Volume</b>	<b>2027 Peak LOS</b>
Duval	US-17	469	I-295 to Pecan Park Rd	D	2,289	1,057	B	1,343	C

The segment mentioned in Table 2 has sufficient capacity to accommodate the trips generated from the development at the target Level of Service (LOS) standard.

***(7) Usable open spaces plazas, recreation areas.***

The written description states that no recreation will be create for this PUD, however a large portion of this site is passive open space due to an existing pond.

***(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 onsite. Nonetheless, any development which would impact wetlands will be permitted in accordance with local, state, and federal requirements.

***(9) Listed species regulations***

A wildlife survey is required for developments of more than fifty (50) acres. The subject property contains approximately 1.05 acres and does not require a wildlife survey.

***(10) Off-street parking including loading and unloading areas.***

According to the submitted written description, the development shall comply with the parking requirements in Part 6 of the Zoning Code.

***(11) Sidewalks, trails, and bikeways***

Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan or the applicant will provide funding to the City's Sidewalk Fund, subject to the review and approval of the Planning & Development Department.

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on **April 12, 2023**, the Notice of Public Hearing signs **were** posted.





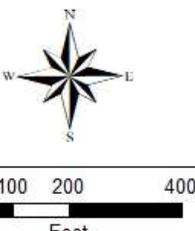
**Figure B:**



*Source: Planning & Development Department, 4/12/2023*

**View of subject property from North Main Street.**



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-2 &amp; RR-ACRE</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	
<p>TRACKING NUMBER</p> <p><b>T-2022-4322</b></p>	<p>COUNCIL DISTRICT:</p> <p><b>7</b></p> <p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>	