



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

January 9, 2024

The Honorable Randy White
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.: 2024-0864 Application for: Capper Rd PUD

Dear Honorable Council President White, 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 w/ Condition**

Planning Commission Recommendation: **Approve w/ Condition**

This rezoning is subject to the following exhibits:

1. The Original Legal Description dated September 6, 2024
2. The Revised Written Description dated December 21, 2024
3. The Original Site Plan dated September 6, 2024

Planning Commission Condition:

1. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one (1.0) f.c. All lighting lamp sources within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. The maximum light pole height in all parking areas should not exceed twenty (20) feet. 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.

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Planning Commission Commentary: There were no speakers in opposition and little discussion amongst the commissioners.

Planning Commission Vote: **6-0**

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

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

Sincerely,



Erin L. Abney, MPA

Chief, Current Planning Division
Planning & Development Department
214 North Hogan Street, 3rd Floor
Jacksonville, FL 32202
(904) 255-7817; EAbney@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2024-864 TO
PLANNED UNIT DEVELOPMENT

JANUARY 9, 2025

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 **2024-864** to Planned Unit Development.

Location: 3046 Capper Road between Lem Turner Road and Madistone Cove Drive

Real Estate Number(s): 020394-0000

Current Zoning District(s): Commercial Community General-1 (CCG-1)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC)

Planning District: North, District 6

Council District: District 8

Applicant/Agent: Michael Herzberg
12483 Aladdin Road
Jacksonville, Florida 32223

Owner: SPA Smiley Trucking, Inc.
5040 Grann Lloyd Drive
Jacksonville, Florida 32209

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development 2024-864 seeks to rezone approximately 0.90 acres of land from CCG-1 to PUD. The rezoning to PUD is being sought to allow for the outside storage/parking of heavy equipment, dump trucks, box trucks (but not trailers) and similar power equipment. The PUD has included additional buffers, sign dimension and limits on the uses that cannot be accomplished through a conventional zoning application.

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 Community General Commercial (CGC) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2045 Comprehensive Plan. The proposed PUD to allow for outside storage. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2045 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code.

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

Yes. 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:

Goal 1 To ensure that the character and location of land uses optimize the combined potentials of economic benefit and enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

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. These techniques should consider the following criteria in determining uses, densities, intensities, and site design:

- Potential for the development of blighting or other negative influences on abutting properties

- Site Access
- Configuration and orientation of the property
- Natural or man-made buffers and boundaries
- Bulk and scale of development
- Building orientation
- Site layout

(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.

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 category as identified in the Future Land Use Map series (FLUMs): Community General Commercial (CGC). 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.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for outside storage of equipment and vehicles. 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. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The streetscape: The written description indicates the parcel will comply with Part 12 Landscaping in the Zoning Code. This will include one tree every 25 feet and a 6 foot high, 95% opaque fence along Capper Road. These requirements will soften the streetscape as it transitions from commercial uses to residential farther west.
- The use of topography, physical environment and other natural features: The written description states there will be a 50 foot wide undisturbed buffer along the western portion of the site.
- Compatible relationship between land uses in a mixed use project: The primary use in the written description is for outside storage, several additional commercial uses are included. It is not expected that these additional uses will create any internal adverse impacts.

(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:

- Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon: To the east is a commercial paint store building. On the west and north sides are residentially zoned parcels that are primarily in a floodzone. Development of these parcels will be difficult if not impossible for residential uses.
- The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	RPI CGC	RMD-A PUD (96-394)	Undeveloped Undeveloped wetlands
South	CGC	CCG-1	Undeveloped, cosmetology
East	CGC	CCG-2	Sherwin Williams Paint store
West	LDR	RR-Acre	Undeveloped, wetlands

- 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 written description indicates the parcel will comply with Part 12 Landscaping in the Zoning Code. This will include one tree every 25 feet and a 6 foot high, 95% opaque fence along Capper Road. Additionally, there will be a 50 foot wide undisturbed buffer along the western portion of the site where Capper Road transitions to residential uses.

The sign regulations in the Written Description are less intense than the sign regulations in the CCG-1 Zoning District. The maximum sign height will be 15 feet in height in lieu of the 50 foot height allowed in the Zoning Code. The sign area is substantially less than allowed in the Zoning Code.

Staff has concerns that the outside storage area will be illuminated. Although this illumination is to prevent theft or vandalism, it is important to provide illumination levels that will deter criminal conduct but also are non-intrusive to the adjacent residential uses. Therefore staff is recommending a condition that sets standards for development.

(6) Intensity of Development

The proposed development is consistent with the Community General Commercial (CGC) functional land use category for outside storage of equipment and vehicles. The PUD is appropriate at this location because it will allow for a use on an underutilized parcel.

- The existing residential density and intensity of use of surrounding lands: There are single family subdivisions to the west. The PUD has included substantial buffers along the west side to buffer those residential uses. Although the parcel to the north is residentially zoned, there is a flood zone that covers much of the property.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: Capper Road is classified as a collector road.

(7) Usable open spaces plazas, recreation areas.

Commercial/industrial uses do not require open space or recreation area.

(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 identify wetlands on the western portion of the parcel. 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.

(11) Sidewalks, trails, and bikeways

The Written Description indicates the project will contain a pedestrian system that meets the 2045 Comprehensive Plan. There are no sidewalks on the southern frontage of Capper road, but here is a sidewalk on the northern side.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on November 20, 2024, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2024-864** be **APPROVED** with the following exhibits:

1. The original legal description dated September 6, 2024
2. The revised written description dated December 21, 2024
3. The original site plan dated September 6, 2024

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2024-864** be **APPROVED** subject to the following condition, which may only be changed through a rezoning:

1. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one (1.0) f.c. All lighting lamp sources within parking and pedestrian areas shall be metal halide, compact fluorescent or LED. The maximum light pole height in all parking areas should not exceed twenty (20) feet. 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.



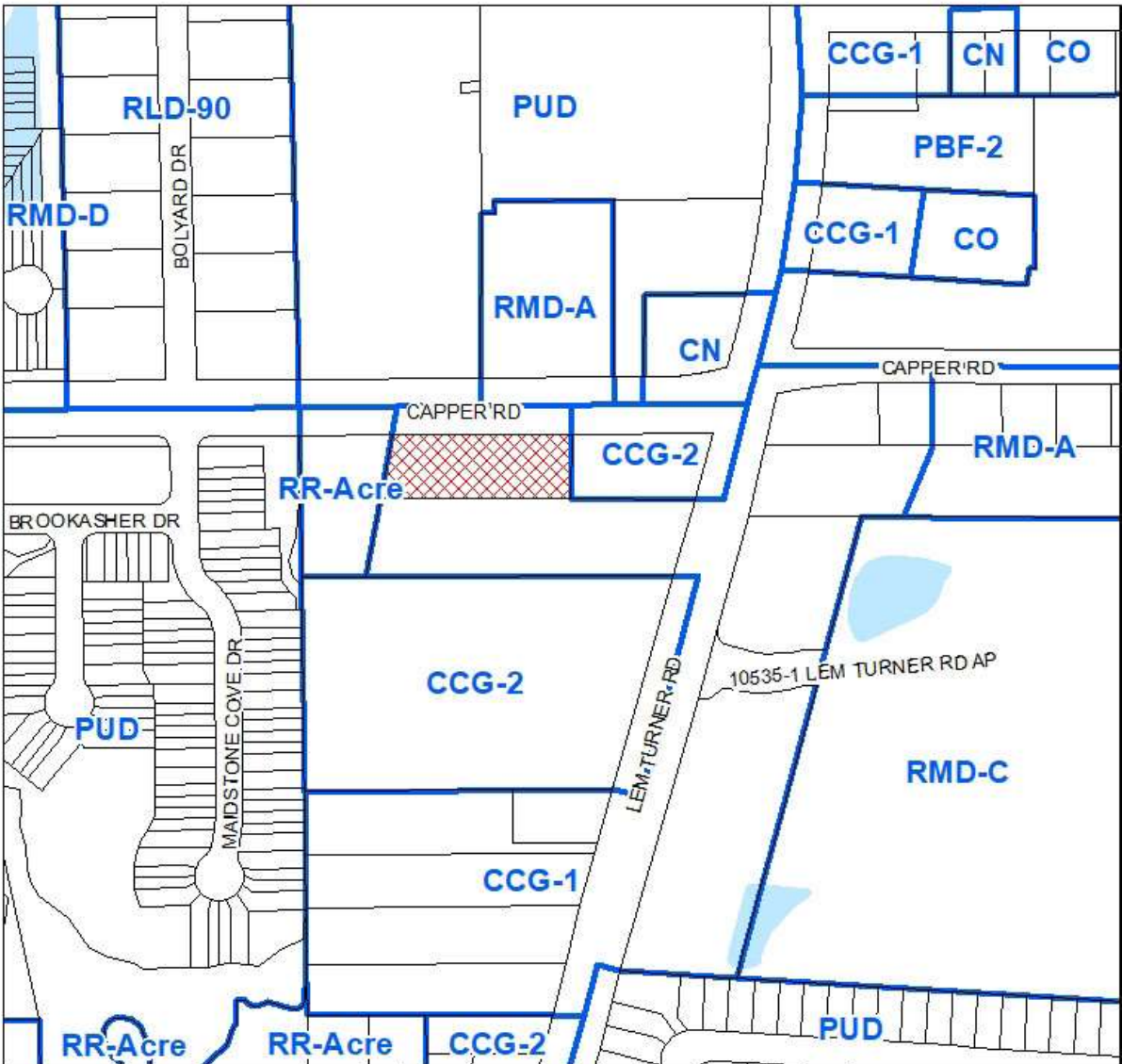
Aerial view of subject property


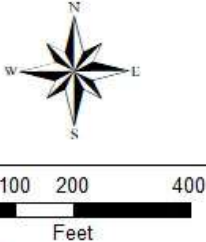


View of subject property



Existing single family dwelling west of subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>8</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2024-0864</p>	<p>TRACKING NUMBER</p> <p>T-2024-5812</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>