

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0873 TO
PLANNED UNIT DEVELOPMENT

JANUARY 23, 2020

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2019-0873** to Planned Unit Development.

Location: 1121 Suemac Road
Between Suemac Road and Sandymac Road

Real Estate Number: 005119-7600

Current Zoning District: Planned Unit Development (PUD 2014-0646-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Categories: Business Park (BP)
Community/General Commercial (CGC)

Proposed Land Use Category: Community/General Commercial (CGC)

Planning District: 5-Northwest

Applicant/Agent: Fred Atwill
Atwill, LLC
9001 Forest Acres Lane
Jacksonville, Florida 32234

Owner: William A. McArthur, Jr
N.G. Wade Investment Company
P.O. Box 6937
Jacksonville, Florida 32205

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development **2019-0873** seeks to rezone approximately 12.23± acres of land from PUD to PUD. The rezoning is sought to allow for the retail sales and service of heavy trucks. The proposed facility will contain a maximum 45,395 square feet of enclosed space.

The need for a new PUD stems from the current PUD's limitations in uses and the need to clarify the retail sales and service of heavy trucks (with outside display) as a permitted use.

Staff also notes a companion Small Scale Land Use Amendment L-5405-19C (**Ordinance 2019-0872**) that seeks to amend a portion of land on the property from Business Park (BP) to Community/General Commercial (CGC).

The subject property is currently zoned under PUD **Ordinance 2012-0646-E**, which spans an overall 30.52± acres of land and allows for general commercial uses. Additionally, **2012-0256-E** was enacted on December 11, 2012 with the following conditions:

- (a) Development shall proceed in accordance with the Development Services Division Memorandum dated November 1, 2012, or as otherwise approved by the Traffic Engineering Division and the Planning and Development Department.
- (b) If a church is located within this PUD, the distance limitations set forth in Part 8 of the Jacksonville Zoning Code for on-premises consumption of alcohol, including beer, wine and/or liquor shall not apply when measuring the distance from any church located within this PUD to any hotel or restaurant that does not qualify as a nightclub pursuant to Section 656.1601, Zoning Code.
- (c) Future changes will be subject to further review and approval as permitted in the zoning code.

The Planning and Development has reviewed the conditions of the enacted ordinance and forwards the following comments:

Condition (a) is not being recommended by Staff for this report as the Development Services Division is expected to issue new comments during 10-set review for the proposed development.

Condition (b) is being recommended by Staff for this report as the applicant has stated a desire to maintain all permitted uses granted under Ordinance 2012-0646-E.

Condition (c) is not being recommended for this report as Staff finds the condition unnecessary and inherent in the Department's standard zoning review.

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

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

Yes. In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the Planning and Development Department finds that with the approval of companion Small Scale Land Use Amendment L-5405-19C (**Ordinance 2019-0872**), the subject property will be located in the Community/General Commercial (CGC) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

Retail sales and service establishments including auto sales are permitted in the Community/General Commercial (CGC) land use category as a primary use. The subject site is located in an area with access to full urban services and within walking distance to other commercial services. Both Commonwealth Avenue and Suemac Road have sidewalks on both sides of the roadway. The property is vacant and is surrounded by commercial development abutting Commonwealth Avenue and Suemac Road. The property is located in a developed area of the City that is contiguous to an established pattern of commercial properties along the Commonwealth Avenue corridor, which provides increased commercial opportunities.

The site is located in an Industrial Situational Compatibility zone. The area does not have an adopted neighborhood plan and the site is not designated HI or LI. The property is not strategically located to rail facilities, ports or airports. The site is less suitable for industrial uses due to the residential land uses to the north and east and the commercial uses to the south and west.

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

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

This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element (FLUE):

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area may be permitted only as interim facilities pursuant to the requirements of the

Sanitary Sewer Sub-Element.

The subject property is located in the Urban Area and according to the attached JEA Availability Letter, **2019-2642**, the proposed development must connect to City water and sewer using the property's existing JEA water and sewer accounts.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The proposed rezoning to a PUD would allow for commercial infill on an undeveloped, underutilized parcel.

Policy 3.2.33

Where there is not an adopted neighborhood plan and/or study recommending the contrary, within the "Area of Situational Compatibility", as shown on the Industrial Preservation Map (Map L-23), lands designated Heavy Industrial or Light Industrial on the Future Land Use Map that are strategically located to provide access to rail facilities or trucking routes; serve ports; or serve airport multi-modal requirements, shall not be converted to a non-industrial land use category unless the applicant demonstrates to the satisfaction of the City that the site cannot be reasonably used for any of industrial uses. Reasonable demonstration for suitability of industrial uses may include but is not limited to the following: Access to arterial road network, access to rail, proximity to existing residential, industrial vacancy rates in the vicinity, size of parcel and potential for redevelopment. Conversion of these lands shall only be permitted for construction of mixed use development consistent with the requirements for job creation as defined by Policy 3.2.34.

The site is located in an Industrial Situational Compatibility zone. The area does not have an adopted neighborhood plan and the site is not designated Heavy Industrial (HI) or Light Industrial (LI). The property is not strategically located to rail facilities, ports or airports. The site is less suitable for industrial uses due to the residential land uses to the north and east and the commercial uses to the south and west.

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

The intended development will meet all portions of the City's land use regulations and furthers their intent by providing specific development standards.

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

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use categories as identified in the Future Land Use Map series (FLUMs): Business Park (BP) and Community/General Commercial (CGC). There is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5405-19C (**Ordinance 2019-0872**) that seeks to amend a portion of land on the property from BP to CGC. Nonetheless, 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. Staff should note that mobility application #101382.0 / CCAS # 101382.1 (City Dev # 8241.007) was reviewed, assessed, and approved on August 20, 2019 for Tract V-B Retail Truck Sales and Service. However, the CCAS application will need to be converted to a Concurrency Reservation Certificate (CRC) prior to any permit sign-off by CMMSO.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcel for self-storage facility. 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 subject site will be developed in accordance with Part 12 of the Zoning Code and Article 25 of the Charter of the City of Jacksonville. Moreover, in an effort to maintain use compatibility with the surrounding area and mitigate any development impacts, the applicant has also requested to install a 95% opaque six (6) foot high fence, wall, or evergreen along the subject property's east property line—as depicted on the attached site plan dated October 24, 2019. The visual barrier, coupled with the preservation of the adjacent property's retention pond, will act as a comparable buffer for the abutting single-family dwellings to the north and east.

The treatment of pedestrian ways: Pursuant to the provisions outlined in the 2030 Comprehensive Plan, sidewalks will be provided.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Suemac Road and Sandymac Road.

(5) External Compatibility

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

The type, number and location of surrounding external uses: The proposed retail sales and service of heavy truck facility will complement the general assortment of commercial uses in the given area, including the neighboring Bobcat of Jacksonville facility located to the west. Nonetheless, the adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Property Use
North	CGC/LDR	PUD 2012-0646/RLD-60	Single-Family Dwellings (SFDs)
South	CGC	CCG-1	Commercial Retail and Service
East	BP/LDR	PUD 2012-0646/PBF-1/RLD-60	Fire Station/SFDS
West	BP/CGC	PUD 2012-0646 / CCG-1	Commercial Retail & Service

(6) Intensity of Development

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

The availability and location of utility services and public facilities and services: The subject site will be serviced by JEA for city water and sewer. Additionally, in a memo provided by JEA dated December 16, 2019, the proposed project design shall meet the JEA Design Standards in effect at the time of construction plan submittal in order to accommodate an additional 6,000 gpd.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject property will have direct access to the proposed development via Suemac Road and Sandymac Road. The Traffic Engineer also reviewed the application and has issued no objections to the development.

The application was also forwarded to the Transportation Planning Division on December 5, 2019 for review. As of Monday, January 13, 2020, no comments have been received.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space as applicable in accordance with the Recreation and Open Space Element (ROSE) 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 did not identify the presence of 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 subject site will be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **January 7, 2020** by the Planning and Development Department, the Notice of Public Hearing signs **were** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2019-0873** be **APPROVED with the following exhibits:**

- The original legal description dated October 24, 2019**
- The original written description dated October 24, 2019**
- The original site plan dated October 24, 2019**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-0873** be **APPROVED WITH CONDITION.**

- 1. If a church is located within this PUD, the distance limitations set forth in Part 8 of the Jacksonville Zoning Code for on-premises consumption of alcohol, including beer, wine and/or liquor shall not apply when measuring the distance from any church located within this PUD to any hotel or restaurant that does not qualify as a nightclub pursuant to Section 656.1601, Zoning Code.**

Figure A:



Source: Planning & Development Dept, 1/13/20

Aerial view of the subject site and parcel, facing north.

Figure B:



Source: Planning & Development Dept, 8/1/19

View of Sandymac Road and the subject site, facing north.

Figure C:



Source: Planning & Development Dept, 1/16/20

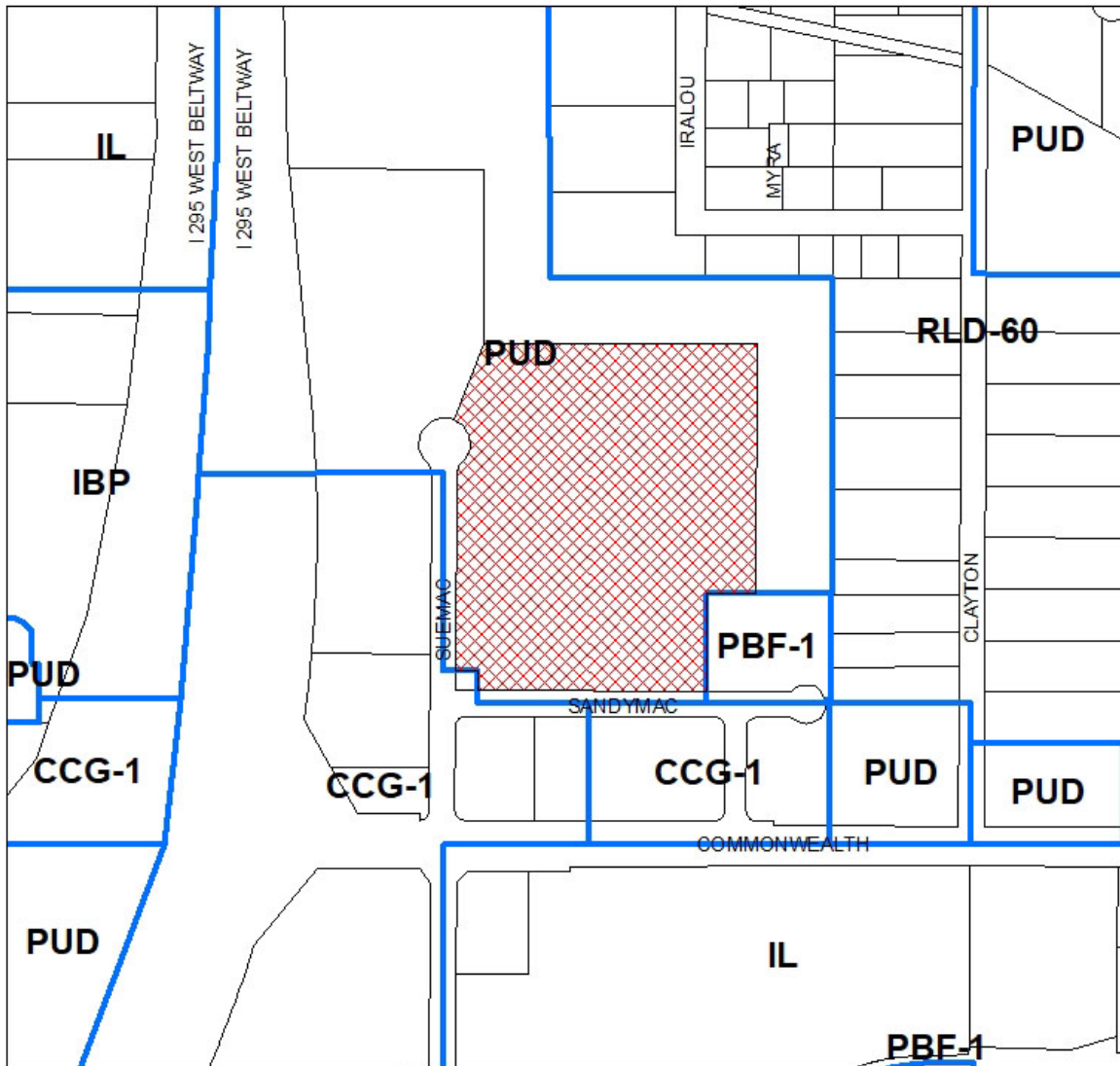
View of Suemac Road and the subject property, facing east.

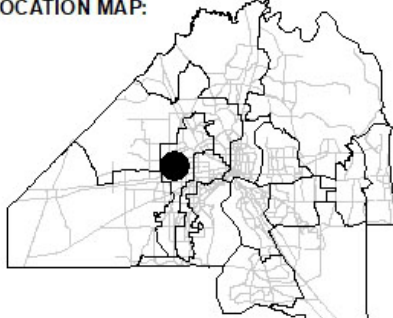
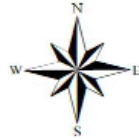
Figure D:



Source: Planning & Development Dept, 1/16/20

The abutting Bobcat of Jacksonville facility located northeast to the site, facing north.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>0 130 260 520</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>10</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2019-0873</p>	<p>TRACKING NUMBER</p> <p>T-2019-2475</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>