

Introduced and amended by the Land Use and Zoning Committee:



08-1071.tif

ORDINANCE 2008-1071-E

AN ORDINANCE REZONING APPROXIMATELY 2.32± ACRES
LOCATED IN COUNCIL DISTRICT 3 ON ST. JOHNS
BLUFF ROAD BETWEEN ST. JOHNS BLUFF ROAD AND
INTERSTATE 9A (R.E. NO. 163656-0000), AS
DESCRIBED HEREIN, OWNED BY AKEL AND AKEL
PARTNERSHIPS, LLP, FROM IBP (INDUSTRIAL
BUSINESS PARK) DISTRICT TO PUD (PLANNED UNIT
DEVELOPMENT) DISTRICT, AS DEFINED AND
CLASSIFIED UNDER THE ZONING CODE, TO PERMIT
OFFICE AND COMMERCIAL USES, AS DESCRIBED IN
THE APPROVED WRITTEN DESCRIPTION AND SITE PLAN
FOR THE PIRATE'S ISLAND COMERCIAL CENTER PUD;
PROVIDING AN EFFECTIVE DATE.

WHEREAS, Akel and Akel Partnerships, LLP, the owner of
approximately 2.32± acres located in Council District 3 on St.
Johns Bluff Road between St. Johns Bluff Road and Interstate 9A
(R.E. No. 163656-0000), as more particularly described in **Exhibit**
1, attached hereto (Subject Property), has applied for a rezoning
and reclassification of that property from IBP (Industrial Business
Park) District to PUD (Planned Unit Development) District, as
described in Section 1 below; and

WHEREAS, the Planning Commission has considered the
application and has rendered an advisory opinion; and

WHEREAS, the Land Use and Zoning Committee, after due notice
and public hearing, has made its recommendation to the Council; and

WHEREAS, the Council finds that such rezoning is: (1)

1 consistent with the 2010 Comprehensive Plan; (2) furthers the
2 goals, objectives and policies of the 2010 Comprehensive Plan; and
3 (3) is not in conflict with any portion of the City's land use
4 regulations; and

5 **WHEREAS**, the Council finds the proposed rezoning does not
6 adversely affect the orderly development of the City as embodied in
7 the Zoning Code; will not adversely affect the health and safety of
8 residents in the area; will not be detrimental to the natural
9 environment or to the use or development of the adjacent properties
10 in the general neighborhood; and will accomplish the objectives and
11 meet the standards of Section 656.340 (Planned Unit Development) of
12 the Zoning Code; now therefore

13 **BE IT ORDAINED** by the Council of the City of Jacksonville:

14 **Section 1. Property Rezoned.** The Subject Property is
15 hereby rezoned and reclassified from IBP (Industrial Business Park)
16 District to PUD (Planned Unit Development) District, as shown and
17 described in the approved site plan dated November 19, 2008 and
18 written description dated November 10, 2008 for the Pirate's Island
19 Commercial Center PUD. The PUD district for the Subject Property
20 shall generally permit office and commercial uses, as more
21 specifically shown and described in the approved site plan and
22 written description, both **attached hereto** as **Exhibit 2**.

23 **Section 2. Rezoning Approved Subject to Conditions.** This
24 rezoning is approved subject to the following conditions:

25 (a) Development shall proceed in accordance with the
26 Development Services Division Memorandum dated December 3, 2008,
27 and the Transportation Planning Section Memorandum dated December
28 2, 2008, or as otherwise approved by the Planning and Development
29 Department.

30 (b) A five-foot-wide sidewalk shall be provided along St.
31 Johns Bluff road per the 2010 Comprehensive Plan.

1 (c) Free-standing signage shall be limited to monument style
2 signage with a maximum height of 12 feet. The maximum sign face
3 area shall not exceed 100 square feet. A sign face area up to 75
4 square feet may be internally illuminated; however, if the sign
5 face area exceeds 75 square feet, then the entire sign may only be
6 externally illuminated.

7 **Section 3. Owner and Description.** The Subject Property
8 is owned by Akel and Akel Partnerships, LLP, and is legally
9 described in **Exhibit 1.** The agent is Wyman R. Duggan, Esquire,
10 1301 Riverplace Boulevard, Suite 1500, Jacksonville, Florida 32207;
11 (904) 346-5502.

12 **Section 4. Effective Date.** The adoption of this
13 ordinance shall be deemed to constitute a quasi-judicial action of
14 the City Council and shall become effective upon signature by the
15 Council President and the Council Secretary.

16
17 Form Approved:

18
19 /s/ Shannon K. Eller

20 Office of General Counsel

21 Legislation Prepared By Shannon K. Eller

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ORDINANCE 2008 - 1071

Legal Description

Lot 14, Block 55, Robinwood Acres Unit 1 as shown on plat thereof recorded in Plat Book 21, pages 6, 6A and 6B of the current public records of Duval County, Florida;

Together with

A portion of land, shown on a plat of Robinwood Acres Unit 1, recorded in Plat Book 21, pages 6 and 6A of the current public records of Duval County, Florida being more particularly described as follows:

The Southerly 30 feet of that portion of Patton Road (a 60 foot right of way) lying East of New St. Johns Bluff Road and West of County Right of Way - St. Johns Bluff Road Extension, less and except the Westerly 70 feet thereof.

11/19/08

Pirate's Island Commercial Center PUD
Written Description
November 10, 2008

I. SUMMARY DESCRIPTION OF THE PROPERTY

- A. Current Land Use Category: BP
- B. Current Zoning District: IBP (formerly IBP-2)
- C. Requested Zoning District: PUD
- D. Real Estate Parcel: 163656-0000

II. SUMMARY DESCRIPTION OF THE PUD

The subject property (the "Property") is located on St. Johns Bluff Road South between Cortez Road and SR 9A, and is more particularly described in the legal description attached as Exhibit "1" to this application. The Property has a BP land use and is currently undeveloped. Surrounding uses include commercial retail and office uses and undeveloped land.

The Applicant proposes to rezone approximately 2.32± acres of property from Industrial Business Park (formerly IBP-2) to Planned Unit Development ("PUD"). The proposed PUD seeks to permit the development of approximately 16,500± square feet of commercial retail, office and restaurant uses on the Property under a common development scheme incorporating shared access, parking, and signage for these permitted uses. A conceptual site plan of the proposed development is attached as Exhibit "E" to this application (the "Site Plan").

Right of way closure application 025/RW/08 has been submitted to close a portion of the platted but unopened Patton Road right of way to the north of the Property, between St. Johns Bluff Road and SR 9A. The Site Plan incorporates the right of way to be closed.

The Property is located within the St. Johns Bluff Road Corridor Land Use and Zoning Study (the "Corridor Study"). Section III of the Study recommends the promotion of developments with a beneficial mix of uses and shared access, with more intense uses oriented toward the corridor. The Corridor Study cites (p. 17) a mix of office, "showroom" retail and enclosed retail uses, with common shared access points and limited signage and cross-access, as examples of development that would be appropriate for the corridor. The development depicted on the Site Plan is entirely consistent with the scale and type of development envisioned in the Corridor Study.

III. PUD DEVELOPMENT CRITERIA

A. Minimum Lot and Building requirements:

1. *Permitted uses and structures.* The permitted uses and structures are as follows:

- a. Medical and dental or chiropractor offices and clinics;
- b. Professional offices;
- c. Business offices;
- d. Banks, loan companies, mortgage brokers, stockbrokers and similar financial institutions;
- e. Union halls;
- f. Warehousing, wholesaling, distribution and similar uses, and light manufacturing, fabrication, assembling of components, printing and similar uses;
- g. Manufacturer's agents and display rooms, offices of building trades contractor (not including outside storage or use of a vehicle in excess of one-ton capacity or any equipment, machinery, ditching machines, tractors, bulldozers or other heavy construction equipment);
- h. Research, dental and medical laboratories, manufacturers or prosthetic appliances, dentures, eyeglasses, hearing aids and similar products;
- i. Vocational, technical, business, trade or industrial schools and similar uses;
- j. Essential services, including water, sewer, gas, telephone, radio and electric, meeting the performance standards and development criteria set forth in Part 4;
- k. Churches, including a rectory and similar uses, meeting the performance standards and development criteria set forth in Part 4;
- l. Retail sales of all types of merchandise, service establishments including restaurants, and the retail sale and service of alcoholic beverages for either on-premises or off-premises consumption or both.
- m. Animal hospitals, veterinary clinics, animal boarding places.
- n. Day care centers meeting the performance standards and development criteria set forth in Part 4.

2. *Permitted accessory uses and structures.* Accessory uses and structures are permitted as provided in Section 656.403, Zoning Code; provided that accessory uses and structures may be located in a required front or side yard.

3. *Minimum lot requirement (width and area).*

- a. Width - none.
- b. Area - none.

4. *Maximum lot coverage by all buildings.* Thirty-five (35) percent.

5. *Minimum yard requirements.* The minimum yard requirements will apply to the Property as a whole without regard to internal parcelization.

- a. St. Johns Bluff frontage - twenty (20) feet.
- b. North - zero (0) feet.
- c. SR 9A frontage - ten (10) feet.
- d. South - ten (10) feet.

Note: Encroachments by sidewalks, parking, signage, utility structures, fences, street/park furniture, and other similar improvements shall be permitted within the minimum building setbacks.

6. *Maximum height of structures.* Thirty-five (35) feet. As provided in Section 656.405 of the City of Jacksonville Zoning Code, spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein.

B. **Buffers:** The adjacent parcels to the north and south are already developed with functionally compatible uses; accordingly, no incompatibility buffers will be provided.

C. **Vehicular Access:** As indicated on the Site Plan, access to the Property will be from St. Johns Bluff Road. The location and design of all access points will be subject to the review and approval of the City Traffic Engineer and the Planning and Development Department. The location of the access points shown on the conceptual Site Plan are schematic and may be subject to realignment and relocation prior to development. The proposed common, shared access point and internal cross-access is consistent with the recommendations of the Corridor Study.

D. **Parking:** Parking will comply with the requirements of Part 6 of the Zoning Code, taking into consideration all proposed uses and the entire site. Parking within the PUD may be shared between uses and parcels as long as the PUD in its entirety provides sufficient parking for all proposed uses.

E. **Pedestrian Access:** External sidewalks will not be provided.

F. **Signage:** One (1) double-faced pylon sign twelve (12) feet in height and one hundred twenty (120) square feet in area is permitted at the project entrance along St. Johns Bluff Road. One (1) double-faced pylon sign twelve (12) feet in height and one hundred twenty (120) square feet in area is permitted along the State Road 9A frontage. Multiple tenants and/or uses may be identified on the signs without regard to parcelization. Wall signs are also permitted and shall not exceed ten (10) percent of the square footage of the occupancy frontage or respective side of the building abutting a public right-of-way or approved private street. Wall signs shall be similar in size and appearance, using similar materials and shapes. One (1) under the canopy sign per occupancy not exceeding a maximum of eight (8) square feet in area is permitted; provided, however, any square footage utilized for an under the canopy sign shall be subtracted from the allowable square footage that can be utilized for wall signs. Directional signs, real estate signs and construction signs are permitted.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary of the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, the area of such signs shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letter, words, and numbers on the sign and shall not include the frame or surrounding mount.

The proposed common, limited signage is consistent with the recommendations of the Corridor Study.

G. **Landscaping:** Landscaping within the PUD will be constructed and maintained in accordance with the requirements set forth in Part 12 of the Zoning Code. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees and shrubs, fencing and irrigation.

H. **Architectural Controls:** Satellite dishes and other antennas which could be used for reception of television and other similar broadcasts are prohibited unless such satellite dishes or antennas are located either on the rooftop or a side of a building which is not adjacent to a public right of way. Satellite dishes or antennas must be screened from view from adjacent property. Satellite dishes or antennas located on the side of a building must be screened from any roadways by landscaping and/or opaque fencing which is aesthetically compatible with the other structures located, or to be located, on the Property.

Dumpsters, propane tanks, and similar appurtenances shall be kept behind substantially opaque enclosures composed of the same material and painted the same color as the structures located, or to be located, on the Property, such that the dumpster, propane tank, and similar appurtenances are screened from view from surrounding roadways and adjacent properties. Utility tracts, maintenance areas and loading/unloading zones shall be screened from surrounding roadways by landscaping and/or opaque fencing which is aesthetically compatible with the other structures located on the Property.

I. **Stormwater Retention:** Retention shall meet the requirements of the City of Jacksonville and all other state or local agencies with jurisdiction including the St. Johns River

Water Management District. Stormwater retention areas may be located on or off-site and may be shared with other parcels provided the stormwater design for the entire PUD meets the standards and requirements of the City of Jacksonville and the St. Johns River Water Management District.

J. **Modifications:** Amendment to this approved PUD district may be accomplished through either an administrative modification, minor modification, or by filing an application for rezoning as allowed by Section 656.341 of the Zoning Code; provided, however, that the Site Plan may be revised to decrease the size of the building(s) and to increase the size of the parking area without an administrative modification, minor modification, or rezoning, as long as the revised site plan meets the PUD Development Criteria provided herein. Additional uses may be permitted through a PUD rezoning.

K. **Conceptual Site Plan.** The plans and other visual illustrations in this PUD application are conceptual. The Site Plan, as submitted, reflects the best current thinking and planning for the site. It is possible, however, that revisions to the Site Plan, including but not limited to access points and internal circulation, may be required as the proposed development proceeds through final engineering and site plan review. Therefore, the Site Plan is labeled as conceptual, recognizing that future changes will be subject to further review and approval by the Planning and Development Department.

IV. PUD DEVELOPMENT CRITERIA

A. **Consistency with the Comprehensive Plan:** The proposed uses are consistent with the BP land use category, and with Policies 1.1.7, 1.1.8, and 1.1.10 of the Future Land Use Element of the 2010 Comprehensive Plan.

B. **Consistency with the Concurrency Management System:** The development will comply with the requirements of the Concurrency Management System. The CDN is 8144; CCAS #71459 has been issued.

C. **Allocation of Residential Land Use:** No residential development is proposed.

D. **Internal Compatibility:** The PUD contains limitations on the uses permitted on the subject property as well as a common development scheme and unified architectural theme that contains special provisions for signage, landscaping, sidewalks, and other issues relating to the common areas and vehicular and pedestrian traffic. Access to the Property is available from St. Johns Bluff Road South. Final design and location of the access point is subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

E. **External Compatibility/Intensity of Development:** Surrounding land use designations and zoning districts include BP/IBP immediately adjacent to the north and south, CGC/CCG-2 at the Beach/St. Johns Bluff intersection, and RPI/CRO to the west across St. Johns Bluff Road. SR 9A is to the east. Surrounding uses include commercial retail and office uses, bank with drive-thru, warehouse/flex space, hotel and undeveloped land. The proposed PUD is compatible in both intensity and density with the surrounding development and zoning districts,

and the proposed restaurant, retail and service uses would be compatible with and beneficial to the adjacent commercial and hotel uses. In addition, the beneficial mix of uses, the shared access, common signage and cross-access between uses, with the more intense uses oriented toward the corridor, make the proposed development consistent with the St. Johns Bluff Road Corridor Land Use and Zoning Study.

F. **Maintenance of Common Areas and Infrastructure:** Common areas will be maintained by the owner.

G. **Impact on Wetlands:** Development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

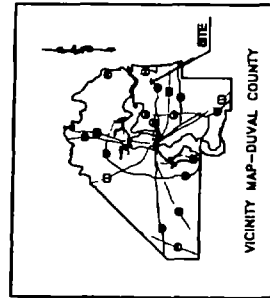
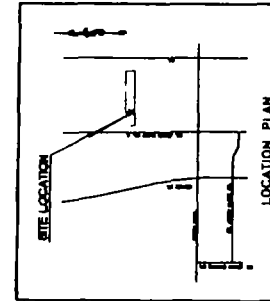
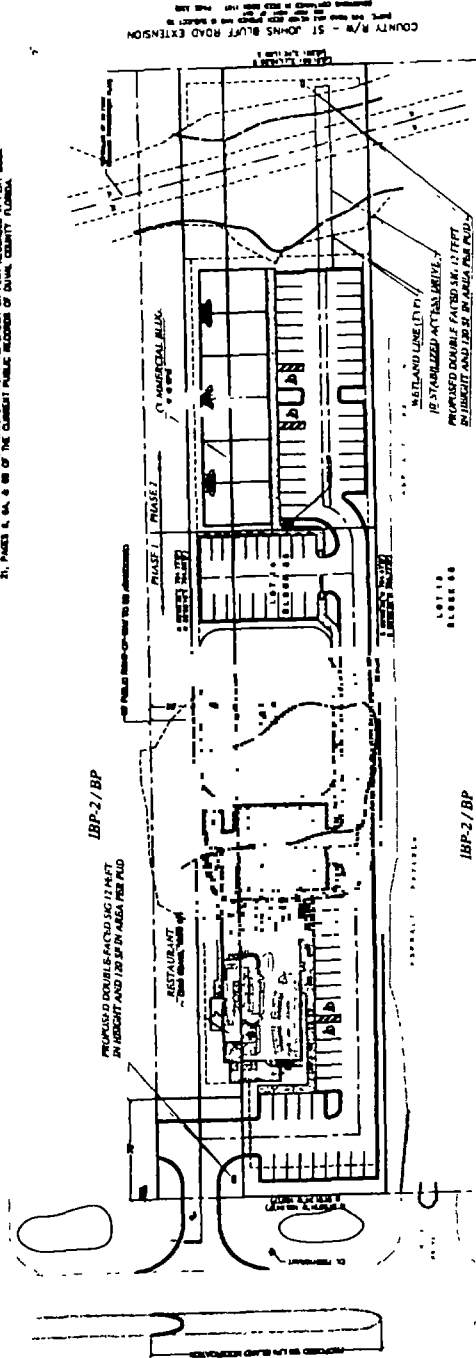
H. **Listed Species Regulations:** The Property is less than fifty acres; therefore, a listed species survey is not required.

I. **Off-Street Parking Including Loading and Unloading Areas:** Parking will meet or exceed the requirements of Part 6 of the Zoning Code, taking into consideration all proposed uses and the entire site. Parking within the PUD may be shared with other uses as long as the PUD in its entirety provides sufficient parking for all proposed uses.

J. **Sidewalks, Trails and Bikeways:** Exterior sidewalks will not be provided.

PIRATE'S ISLAND PRELIMINARY SKETCH PLAN

MAP SHOWING BOUNDARY & TOPOGRAPHIC SURVEY OF
LOT 14, BLOCK 33, HARBORVIEW ACRES UNIT NO. 1, AS SHOWN ON PLAT RECORDED IN PLAT BOOK
21, PAGES 14, 15, 16 OF THE CLARKE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



PUD ORDINANCE

SITE SUMMARY

1. OWNER: J. J. JONES, JR.
1000 CHANCELLER AVE.
JACKSONVILLE, FL 32205
PHONE: (904) 338-7700
2. PROJECT: 1000 CHANCELLER AVE. & J. J. JONES, JR.
7500 BLUFF PARKWAY, SUITE 1000
JACKSONVILLE, FL 32256
PHONE: (904) 338-7700
3. SUBJECT: 1000 CHANCELLER AVE. & J. J. JONES, JR.
7500 BLUFF PARKWAY, SUITE 1000
JACKSONVILLE, FL 32256
PHONE: (904) 338-7700
4. LANDSCAPE ARCHITECT: J. J. JONES, JR.
1000 CHANCELLER AVE. & J. J. JONES, JR.
7500 BLUFF PARKWAY, SUITE 1000
JACKSONVILLE, FL 32256
PHONE: (904) 338-7700
5. ENGINEER: J. J. JONES, JR.
1000 CHANCELLER AVE. & J. J. JONES, JR.
7500 BLUFF PARKWAY, SUITE 1000
JACKSONVILLE, FL 32256
PHONE: (904) 338-7700
6. LANDSCAPE ARCHITECT: J. J. JONES, JR.
1000 CHANCELLER AVE. & J. J. JONES, JR.
7500 BLUFF PARKWAY, SUITE 1000
JACKSONVILLE, FL 32256
PHONE: (904) 338-7700
7. REAL ESTATE: J. J. JONES, JR.
1000 CHANCELLER AVE. & J. J. JONES, JR.
7500 BLUFF PARKWAY, SUITE 1000
JACKSONVILLE, FL 32256
PHONE: (904) 338-7700
8. TOTAL OF ANTICIPATED PARKING SPACES: 1

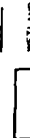
SITE SUMMARY CONT'D

1. TOTAL SITE AREA: 1000	2. TOTAL SITE AREA: 1000
3. TOTAL SITE AREA: 1000	4. TOTAL SITE AREA: 1000
5. TOTAL SITE AREA: 1000	6. TOTAL SITE AREA: 1000
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13. TOTAL SITE AREA: 1000	14. TOTAL SITE AREA: 1000
15. TOTAL SITE AREA: 1000	16. TOTAL SITE AREA: 1000
17. TOTAL SITE AREA: 1000	18. TOTAL SITE AREA: 1000

FLOOD ZONE

THE PROPERTY SHOWN HEREON APPLIES TO THE
FLOOD HAZARD ZONE "A" AS WELL AS CAN BE
DETERMINED FROM THE FLOOD HAZARD ZONE
MAPS FOR THE CITY OF JACKSONVILLE
DUVAL COUNTY, FLORIDA.

LEGEND



WETLAND



WETLAND IMPACT

IHP 2 / BP EAST ZONING / LAND USE