

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2015-0562**

**TO PLANNED UNIT DEVELOPMENT**

**SEPTEMBER 3, 2015**

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 **2015-0562** to Planned Unit Development.

***Location:*** Northwest corner of Duval Road and Hyatt Road

***Real Estate Numbers:*** 106276 0150  
106277 0160

***Current Zoning District:*** Commercial Community General -2 (CCG-2)  
Planned Unit Development (PUD 2007-515-E)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Community/General Commercial (CGC)

***Planning District:*** North, District 6

***Planning Commissioner:*** Lisa King

***City Council District:*** The Honorable Reggie Gaffney, District 7

***Applicant/Agent:*** T.R. Hainline, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, Florida 32207

***Owner:*** Steven Leggett c/o Duval Owens Signature, LLC and  
Second Time Signature, LLP  
13916 Woodland Drive  
Jacksonville, Florida 32218

***Staff Recommendation:*** **APPROVE WITH CONDITIONS**

**GENERAL INFORMATION**

Application for Planned Unit Development **2015-0562** seeks to rezone approximately 155.79 acres of land from PUD (Ord. 2007-515-E and as modified by MM-13-02) and CCG-2 to PUD. The property remains vacant and undeveloped. The rezoning to PUD is being sought for the purpose of adding additional uses, increasing the height limitations on certain portions of the property, reduce the number of residential units permitted, and consolidate previous amendments and modifications into a comprehensive document. The submitted conceptual site plan shows the property divided into 4 distinct development areas (Parcels A, B, C, and D) that include a mix of residential, senior living, commercial, medical and warehouse/flex space uses, and preservation and recreation area. The parcels are identified solely for the purpose of defining permitted uses within the PUD, they do not define or correlate ownership and do not subdivide the property. Residential uses may include multifamily such as townhomes, apartments, or condominiums. Senior living uses may include independent living, assisted living, skilled nursing living, memory care, and similar uses.

The PUD approved previously to 2007-515-E, (PUD 2005-827-E) proposed a mixed use development consisting of 600 units of townhouses, eight buildings of 21,000 square feet each of commercial storage, flex space, office/showrooms and similar uses and approximately 11.41 acres of warehouse or mini-storage uses. The submitted conceptual site plan dated July 2, 2015 does not place a cap on the number of multi-family residential units, or maximum square footage of commercial, office, or warehouse/flex space; but instead, describes the total number of acreage dedicated to each type of use. Approximately 3.79 acres of the property will be devoted to public and private right-of-way, 9+/- acres to active recreation and open space, 73+/- acres to passive open space, and 79+/- combined acres of residential, senior living, commercial and medical, and warehouse/flex space. The PUD does specify a cap of 350 units of residential or senior living on Parcel B.

The subject property lies within the 150 foot maximum height zone and School Exclusion Zone for Jacksonville International Airport, but is outside the Accident Potential Zone and Civilian Notice Zone for noise. The site does contain FEMA designated flood zones AO and wetlands. Stormwater management system and wetland mitigation will be required according to state agency requirements. A twelve inch sewer force main is available along the west side of U.S. 17 and a 16 inch water distribution line is available along the east side.

**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.

***(1) Is the proposed zoning district consistent with the 2010 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 2030 Comprehensive Plan.

The CGC functional land use category allows, in addition to secondary and supporting uses allowed in all commercial categories, multi-family uses, nursing homes, group care facilities, trade schools and colleges, hospitals, medical centers, sanitariums, museums, criminal justice facilities, art galleries, exhibition and trade facilities and similar other institutional uses, dude ranches, riding academies, private camps, camping grounds, shooting ranges, fishing and hunting camps, fairgrounds, race tracks, stadiums and arenas, transit stations, bus and other transportation terminals (but not freight or truck terminals), personal property storage establishments, crematoria, blood donation and plasma centers, building trade contractors, rescue missions, residences in conjunction with a permitted use, and day labor pools etc. may also be allowed within the Community/General Commercial land use category.

Therefore, the portions of the property in the CGC functional land use category are appropriate for this specific type of development.

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

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

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

No. The written description and the site plan of the intended plan of development meet all portions of the City's land use regulations and further their intent by providing specific development standards.

Furthermore, 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 as follows:

***(1) Consistency 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 subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Community/General Commercial (CGC).

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

*FLUE 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.*

This project provides mixed use development that will result in internal trip capture, efficient use of infrastructure, a compact pattern of land use, resulting in economical and efficient provision of public services.

*FLUE Policy 1.1.9 Permit commercial infill on commercially designated sites outside nodal areas where the infill development would: 1. Create a more compact land use pattern than development of new commercial nodes in the same area. 2. Incorporate shared access with adjacent commercial sites, and/or direct access to a frontage or parallel road facility rather than a collector or arterial street; or 3. Support the commercial integrity of an historic district.*

The proposed mix of residential, commercial and warehouse uses would result in a more compact pattern of land use than if the residential and commercial uses were to be developed separately. The site plan provided with the application shows commercial parcels at the intersection of Max Leggett Parkway and Hyatt Road with proposed shared access with the warehouse and residential portions of the site, allowing access without leaving the scheme of development.

*FLUE Policy 1.1.10 Promote the use of Planned Unit Developments (PUDs), cluster development, 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.*

The proposed rezoning utilizes the PUD category in order to provide a unified scheme for wetland protection and maintenance, storm water management, and common area and roadway access and maintenance.

The project will be required to meet all applicable federal, state, and local regulations, including restrictions on noise levels and landscape buffer standards.

*FLUE Policy 1.1.11 Ensure that mixed and multi-use projects enhance rather than detract from the character of established developed areas by requiring site plan controlled zoning such as Planned Unit Developments (PUDs) for all mixed and multi-use projects.*

It is the purpose and intent of the conditions to ensure that the character of the established neighborhood is protected from any and all potential undesirable influences, and to enhance the

surrounding neighborhood. The surrounding properties are used for industrial warehousing or are undeveloped. Development of this project is likely to contribute to the general utility or livability

of surrounding properties under their existing or potential land uses.

*FLUE Policy 1.1.20 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl.*

The proposed plan of development maintains compact and compatible uses of land with shared access, a centralized circulation system and utility infrastructure.

*FLUE Policy 3.1.10 The City shall require new residential areas to be designed to include an efficient system of internal circulation and connection to adjacent developments and neighborhoods.*

The PUD site plan shows eight potential points of access to Hyatt Road, Max Leggett Parkway, and Owens Road. Furthermore, there will be internal access points for connection to the commercial development parcels and the warehouse portion of the site.

Therefore, proposed rezoning to Planned Unit Development, as conditioned, is consistent with the 2030 Comprehensive Plan, and further the goals, objectives and policies contained therein.

## ***(2) Consistency with the Concurrency Management System***

Pursuant to the provisions of Chapter 655 Concurrency Management and Mobility System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency Management System Office (CMSO) prior to development approvals.

Mix of uses and shared access will reduce the impact to off-site roadways and will increase economy and efficiency of the public road system and infrastructure.

## ***(3) Allocation of residential land use***

This proposed Planned Unit Development intends to utilize lands for a mixed-use development having a residential component of apartments, townhouses and condominiums. At this time, it is uncertain if the 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 streetscape:

The PUD development upon final build out will be required to provide an internal street configuration that allows pedestrian and vehicular traffic through the interior of the site without loading the off-site roadways. The submitted site plan does not show an internal street layout.

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas:

150 square feet of active recreation space per unit will be required. The appropriate amount of recreational area will be provided based upon the actual use of the properties in the PUD.

The use of existing and proposed landscaping:

The project will be required to meet the minimal standards set forth in Section 656, Part 12. Wetlands will be protected by state and federal regulation.

The treatment of pedestrian ways:

Pedestrian walkways will meet the minimum requirements of the 2030 Comprehensive Plan.

Focal points and vistas:

The current zoning proposes substantial areas available for passive use. Orientation of buildings toward the wetlands will maximize opportunities for vistas, at least for some residents and users.

The use of topography, physical environment and other natural features:

Wetlands are a part of a larger wetland system rated FEMA flood zone AO. Zone AO is the flood insurance rate zone that corresponds to the areas of 100-year shallow flooding (usually sheet flow on sloping terrain) where average depths are between 1 and 3 feet.

Traffic and pedestrian circulation patterns:

A review of the site plan by the Development Services Division revealed the following comments in their memorandum dated August 21, 2015:

- 1. At PUD Verification, Developer is to provide a trip generation table comparison between the trips used in the Duval Widening Traffic Study dated 1/24/2011 for projected development of this site compared to what actually is developed. A signal warrant analysis may be required by the Traffic Engineer for the intersection of Hyatt Rd and Max Leggett Pkwy intersection. The Developer will be responsible for all cost associated with the design & construction if any improvements are required.**
- 2. The first proposed driveway from Hyatt Rd shall be located beyond the single family uses that currently exist. As of the date of this memo, that is approximately 350 feet from edge of pavement of Max Leggett Pkwy intersection.**
- 3. One (1) driveway access will be permitted on Owens Road. A right turn lane is required as shown on 10 set approved on April 4, 2013 under City Development**

**Number 7517.006 revisions to Max Leggett Parkway (Duval Road Widening) plans.**

- 4. Identity signs will not be allowed in City ROW except for a single family subdivision.**
- 5. Signs, fences, walls and landscaping shall be located so that horizontal line of sight is not obstructed as outlined in FDOT Index 546.**

*The use and variety of building setback lines, separations, and buffering:*

Uses will be adequately buffered by parking areas, natural areas to be preserved, and general site configuration.

*The particular land uses proposed and the conditions and limitations thereon:*

Applicant proposes specific and limited land uses in each of the 4 development Parcels. Parcel A will remain undeveloped as Preservation lands. Parcel B will permit residential uses including a variety of senior housing types and residential multi-family. Parcels C and D will permit an array of commercial and medical uses not unlike those uses permitted in the CCG-1 Zoning Category. Uses permitted by Zoning Exception in the CCG-1 Zoning District will be permitted by the same in this PUD. Parcel D will exclusively be developed with warehouse/flex space including wholesaling, warehousing, light manufacturing, personal property storage, and distribution centers. Silviculture uses may continue on site until build out.

*Compatible relationship between land uses in a mixed use project:*

Proposed uses are a matrix of residential, home occupation, office, warehouse and retail uses that have been historically characteristic of urban uses through human history.

*Signage:*

The Applicant proposes a coordinated signage program including specifications for Identity Monument Signs on Parcel B and C, and Additional Monument Signs on Parcels C and D. All parcels will be permitted Directional signs, Real Estate and Construction Signs, and Temporary Banner Signs.

**(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:*

Surrounding area is a mix of undeveloped, industrially developed and isolated single family residential uses. A warehouse distribution terminal is north of the site accessed by Hyatt Road,

adjoining the warehouse portion of this site. Much of the north and west of the site is bordered by wetland contiguous with and functionally a part of the on-site wetland system. Max Leggett Parkway connects with significant commercial development and Interstate 95 less than one mile to the west of the subject property. Main Street/Highway 17 and single family residential property (Pecan Park) lies to the east.

The type, number and location of surrounding external uses:

Mixed use development at this location complements the surrounding mixed commercial node at Duval Road and Interstate 95 and other residential uses in the area. Main Street DRI (River City Marketplace) and Jacksonville International Airport DRI are within two miles of the property.

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(s)
North	LI	IL	Warehouse Distribution
East	LDR/LI & BP	RLD-G/IL/CCG-2 RLD-60	Single-family dwellings, Manufacturing and Outside Storage
South	LI/CGC	IL/PUD	Light manufacturing/Vacant
West	LI	IL	Undeveloped

**(6) Intensity of Development**

The proposed development is consistent with the CGC functional land use category. The PUD is appropriate at this location with specific reference to the following:

The existing residential density and intensity of use of surrounding lands:

The uses are consistent with the density and intensity of surrounding lands.

The availability and location of utility services and public facilities and services:

City sewer and water is available along Main Street, less than 1,000 feet from the property.

The existence and treatment of any environmental hazards to the proposed PUD property or surrounding lands:

No specific environmental hazards have been identified.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:

To the west, the site is readily accessible to Jacksonville International Airport and Interstate 95 by way of Duval Road. To the east Main Street provides alternate access to north downtown Jacksonville and 9A. No mass transit stop is required.



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

A minimum of 150 square feet of active recreation space per unit will be required. The Applicant proposes approximately 9+/- total acres of active recreation and open space and the final allotment and configuration will be based upon the actual usage of the property.

*(8) Impact on wetlands*

Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

*(9) Listed species regulations*

The required wildlife survey was provided and is attached to this Report.

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

The site is required to be developed in accordance with Part 6 of the Zoning Code.

*(11) Sidewalks, trails, and bikeways*

The project will contain an internal pedestrian system that meets the 2030 Comprehensive Plan. There will also be external sidewalks as required.

**SUPPLEMENTAL INFORMATION**

Upon submittal of the sign posting affidavit to the Planning and Development Department on August 12, 2007, the required Notice of Public Hearing signs were posted.

**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2015-562** be **APPROVED with the following exhibits:**

1. The original legal description dated July 6, 2015.
2. The original written description dated July 29, 2015

3. The original site plan dated July 2, 2015
4. The development shall proceed in accordance with the Development Services Division memorandum dated August 21, 2015 or as otherwise approved by the Planning and Development Department.

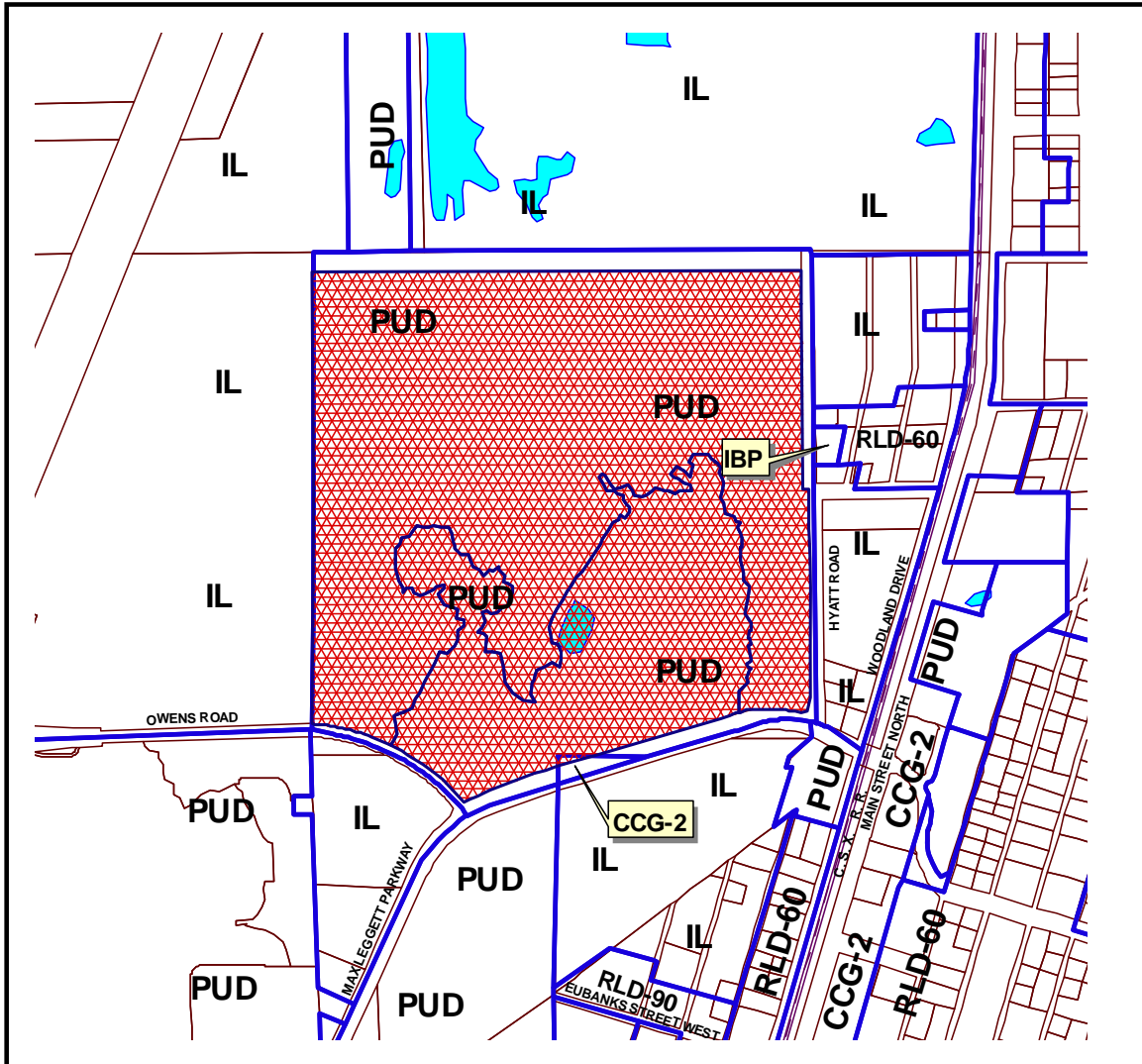
Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2015-562** be **APPROVED** subject to the following condition, which may only be changed through a rezoning:

1. Development of Parcels B, C, and D shall be granted through site plan submittal and approval by a Minor Modification.



Subject site is undeveloped.

Source: JaxGIS  
Date: August 26, 2015



<p>REQUEST SOUGHT:</p> <p><b>FROM: PUD &amp; CCG-2</b></p> <p><b>TO: PUD</b></p>		<p>100 Feet</p> <p>COUNCIL DISTRICT: <b>7</b></p>
<p>ORDINANCE NUMBER: <b>ORD-2015-0562</b></p>	<p>TRACKING NUMBER: <b>T-2015-0890</b></p>	<p><b>Exhibit 2</b></p>