

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2018-154 TO

PLANNED UNIT DEVELOPMENT

APRIL 5, 2018

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 **2018-154** to Planned Unit Development.

Location: North side of Cole Road between Duval Road and
and I-95

Real Estate Number(s): 019657-1000, 019663-0000

Current Zoning District: Planned Unit Development (PUD 2007-86)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)
Business Park (BP)

Planning District: North, District 6

Applicant/Agent: Zach Miller, Esq.
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner: Stephen Ashmore
Victory Baptist Church of Jacksonville
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2018-154** seeks to rezone approximately 41.4 acres of land from PUD to PUD. The rezoning to PUD is being sought so that the property can be developed with a maximum of 270 townhomes and 2 single family dwellings. The existing PUD allows for 220 multi-family dwellings with access from Duval Road and Cole Road. The agent has included a provision that the additional 50 units will be “workforce housing” as

defined in the Comprehensives Plan.

The current PUD has four conditions; a) Development Services Division's transportation improvements, b) limiting the number of units to 220, c) requiring a solid vinyl fence with brick posts along the frontage, d) prohibiting a gated community.

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 2030 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) and Business Park (BP) functional land use categories 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. Single-family and multi-family dwellings are a primary use in LDR. The BP land use category is primarily intended for office development, however, low to medium density residential uses are also allowed. Currently within the BP category description of the 2030 Comprehensive Plan, newly constructed residential uses shall be for workforce persons and residential uses should only be permitted as part of a mixed use development. The proposed PUD written description specifically states that the additional 50 residential units will be for "workforce" housing as defined in the Comprehensive Plan. The original PUD (Ordinance 2007-86-E) was approved under the 2010 Comprehensive Plan, under which a mix of uses was not required as a provision of the BP land use category. While the project will include a mix of single-family, multi-family, conservation and recreational uses, the original PUD was not subject to a requirement for the provision of a mix of uses. Therefore, the proposed uses as described in the proposed PUD written description are consistent with the BP land use category description from the Future Land Use Element reviewed at the time of initial approval in 2007.

It should be noted: The PUD application should be corrected to include BP and LDR as the existing land use categories for the PUD site area; single-family dwellings should be included in the PUD written description for permitted uses and structures; and the PUD should ensure that Policy 2.2.5 of the Recreation and Open Space Element is met.

The site is not located in the CHHA or in any flood zones. However, wetlands have been identified on the site. The project is also located in an Industrial Situational Compatibility Zone and has a High Sensitivity for archaeological resources. The site is also located in a 150-foot height restriction zone for the Jacksonville International Airport.

The uses provided herein shall be applicable to all LDR sites within the Suburban Area.

Principal Uses: Single family and Multi-family dwellings; Commercial retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND site area; and other uses associated with and developed as an integral component of TND.

The maximum gross density in the Suburban Area shall be 7 units/acre when full urban services are available to the site and there shall be no minimum density; except as provided herein. The maximum gross density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available. The PUD is proposing two single family dwellings on 1.2 acres, which is 0.6 units / acre.

Business Park (BP) is a category primarily intended to accommodate commercial office and light industrial uses. Commercial offices should comprise the majority of the category land area, while service, major institutional and light industrial uses constitute the remaining land area. Limited commercial retail and service establishments, hotels, and motels may also be permitted. Residential uses are also permitted in appropriate locations as identified under the Development Area Uses. Development within the category should be compact and connected and should support multi-modal transportation. Uses should generally be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods.

Compatibility with adjacent and abutting residential neighborhoods shall be achieved through the implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; the orientation of open space; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, pedestrian accessibility, vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise and odor. In addition, all development on sites which abut a Low Density Residential and/or Rural Residential land use designation shall provide the following: A scale transition as defined and illustrated in this element. When developing mixed uses, residential uses shall be arranged on the site to provide a use transition between new non-residential uses and the protected abutting residential land uses to the greatest extent feasible. Elements such as yards, open space, at-grade parking and perimeter walls shall be arranged, designed and landscaped in a manner compatible with adjacent areas to serve as a visual buffering element.

The uses provided herein shall be applicable to all BP sites within the Suburban Area.

Principal Uses: Offices; Business and professional offices; Banks; Financial institutions; Research and development activities; Radio and TV studios; Light manufacturing; fabrication and assembly; Commercial retail sales and service establishments; Major institutions; Light industrial; Warehousing; Multi-family dwellings; Live/work units; Hotels and motels. Newly constructed residential uses in the BP category shall be for workforce persons (See definition below). Residential uses shall not be permitted in any airport environ where residential uses are not allowed as identified in the Land Development Regulations and in the policies listed under Objective 2.5 of this element, in the Coastal High Hazard Area (CHHA), or within an area

designated as an Industrial Sanctuary.

Workforce person or household – a person or family with total annual gross household income not to exceed 140% of Duval County’s AMI, adjusted for family size. A workforce household typically contains at least one full-time wage earner whose net earnings comprise at least 50% of the total household income. Such households traditionally have annual family incomes which exceed the limits set by traditional housing assistance programs.

The maximum gross density in Suburban Area shall be 20 units/acre and there shall be no minimum density. However, where this land use category has been established by a small scale land use amendment, the maximum density shall be ten units per acre or less for any residential component unless this amendment meets the requirements of s163.3187(1)(c)1.f., Florida Statutes. The PUD is proposing 6.7 units / acre on the BP land use category.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code.

(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?

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 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 Low Density Residential (LDR). 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:

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.

FLUE 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.

FLUE Policy 1.1.22 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 as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

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 maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

FLUE Objective 3.1 Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

FLUE Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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.

ROSE Policy 2.2.2 The City shall require that all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

ROSE Policy 2.2.5 All multiple-family developments of 100 units or more shall provide 150 square feet of active recreation area per dwelling unit. There may be one area for each 100 units, or the areas may be combined, subject to approval by the Planning and Development.

Transportation Element

TE Policy 2.3.5 The City shall require that access to new residential parcels with frontage along two or more roadways be located on the roadway with the lower functional class, or the

lower average daily traffic inclusive of development traffic for roadways of the same functional class, unless it can be demonstrated in a traffic study submitted for review and approval to the Traffic Engineering Division and the JPDD, that such access restrictions would present a safety hazard, or would cause undue congestion or delay on adjacent road facilities, or would cause environmental degradation, or would hinder adequate traffic circulation.

According to the PUD site plan, the wetlands will be avoided; there will be no development within the wetland areas designated on the PUD site plan. Additionally, a search on the St. Johns River Water Management District (SJRWMD) website produced an active Environmental Resource Permit (ERP) # 70146 on this site.

CCME Goal 4 To achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetland resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

CCME Objective 4.1 The City shall protect and conserve the natural functions of its existing wetlands, including estuarine marshes. In order to achieve this objective and its associated policies, the City shall continue to work with the applicable regional, state and federal agencies charged with these regulatory responsibilities.

(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 a 270 multi-family units and 2 single family units. 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 existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: A recreation area will be provided for the residents.

The use of topography, physical environment and other natural features: The PUD site plan indicates that a large wetland area will be preserved in the center of the site. This preserved

area will provide a visual screen between buildings. Another wetland area will be preserved on the eastern side adjacent to the Interstate, shielding the development from vehicular noise.

Traffic and pedestrian circulation patterns: The PUD is proposing two access points on Cole Road. The access points will align with Duval Lake Road and Cole Court. This should provide for safe vehicular circulation.

The use and variety of building setback lines, separations, and buffering: The PUD is proposing development standards that are consistent with the townhome standards in the Zoning Code.

The use and variety of building groupings: Eight Buildings will be grouped in a block style, while the remaining buildings will be oriented along the internal road. This will provide visual variety for the residents.

(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 development is located in a primarily residential area. The office, commercial and institutional uses function as a mixed-use development. Multi-family development at this location complements the existing office and commercial uses by increasing the housing options for those that are employed in the immediate area.

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	BP	PUD (90-434)	Warehouse, wetlands
South	LDR	RLD-60	Single family dwellings
East	CSV	PUD (03-1494)	I-95, wetlands, undeveloped
West	LDR	RLD-60,RR-Acre	Single family dwellings

(6) Intensity of Development

The proposed development is consistent with the BP functional land use category as a multi-family and single family development, which is not to exceed 272 dwelling units. The PUD is appropriate at this location because it will complement the existing offices, warehouses and service establishments in the area.

The existing residential density and intensity of use of surrounding lands: The multi-family will act as a transition between the interstate to the east and the single family homes to the west.

The availability and location of utility services and public facilities and services: JEA indicates water and sewer are available to the site.

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECTION
Biscayne ES #269	1	45	667	711	107%	105%
Highlands MS #244	1	20	1,071	816	76%	85%
First Coast HS #265	1	25	2,212	1,989	90%	110%

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: In 2007, Development Services required a left and right turn lane on Duval Road and Cole Road at the entrances and the Cole Road entrance align with Duval Lake Road. Transportation Planning does not see a need to require left and right turn lanes at the entrances. The Site Plan shows eastern-most entrance aligning with Cole Court and the western-most entrance aligning with Duval Lake Road.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space and recreation area. There will be a minimum of 150 square feet of recreation area per residential unit.

(8) Impact on wetlands

The applicant provided a wetlands survey map that depicted the location and acreage of the wetlands found on the property. According to the applicant's wetlands survey map, the property contains approximately 5.0 acres of Category III Wetlands (Wetland Forested Mixed). The proposed PUD must meet the requirements of Goal 4 (see below) of the Conservation/Coastal Management Element (CCME) to achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetland resources over the long-term and improve the water quality and fish and wildlife values of wetlands. Other requirements for development in wetlands including permitted uses, maintenance of water quality (including location of septic tanks), maintenance of vegetation, and hydrology are specified in Policies 4.1.3 and 4.1.6 of the CCME for Category III Wetlands.

According to the PUD site plan, the wetlands will be avoided; there will be no development within the wetland areas designated on the PUD site plan. Additionally, a search on the St. Johns River Water Management District (SJRWMD) website produced an active

Environmental Resource Permit (ERP) # 70146 on this 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 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.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on March 23, 2018, 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 **2018-154** be **APPROVED with the following exhibits:**

1. The original legal description dated January 2, 2018.
2. The revised written description dated March 14, 2018.
3. The original site plan dated February 7, 2018.



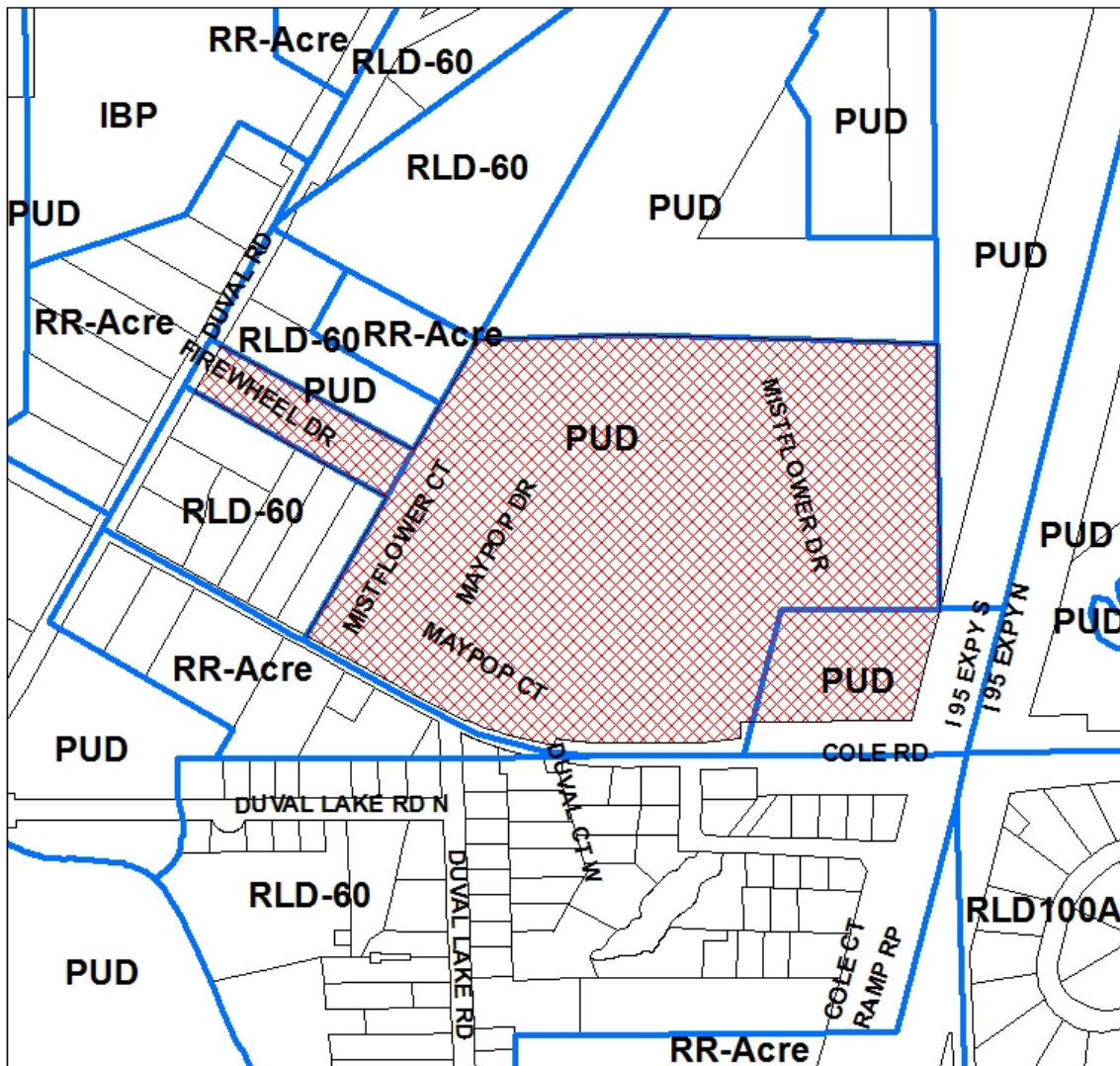
Aerial view of subject property.



View along Duval Road. Subject property is on right side of photograph



View of subject property.

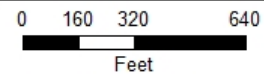
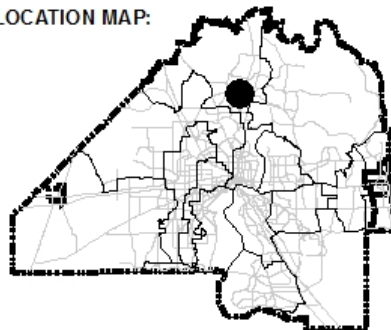


REQUEST SOUGHT:

FROM: PUD

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

7

ORDINANCE NUMBER:

ORD-2018-0154

TRACKING NUMBER

T-2017-1645

EXHIBIT 2