

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR****APPLICATION FOR REZONING ORDINANCE 2018-0290 TO****PLANNED UNIT DEVELOPMENT****JUNE 7, 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 **2018-0290** to Planned Unit Development.

***Location:*** 830 LaSalle Street; at the southwest corner of River Road and LaSalle Street, west of San Marco Boulevard

***Real Estate Number(s):*** 080502-0000

***Current Zoning District:*** Residential Medium Density-D (RMD-D)

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

***Current Land Use Category:*** Medium Density Residential (MDR)

***Planning District:*** Southeast, District 3

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

***Owner:*** RNMB Investments, LLC  
PO Box 600934  
Jacksonville, Florida 32260

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Planned Unit Development **2018-0290** seeks to rezone approximately 0.78 acres of land from RMD-D to PUD. The rezoning to PUD is being sought so that the property can be developed with a maximum of fourteen (14) townhomes in seven buildings. The property currently contains nineteen (19) units within eight buildings. This PUD is for the redevelopment of townhomes only with included relief for road frontage and to allow for the setbacks and lot coverage in keeping with the current buildings on the property. Section 656.399.9 of the Ordinance Code allows any building or structure in existence as of March 9, 2004 that is more than sixty-five (65) percent damaged – as a measure of assessed value – to be

sited as it previously existed. Although some of the property is located in the CHHA, the redevelopment of this site is decreasing the number of residential units by 5.

### **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 Medium Density Residential (MDR) 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. Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. Development within the category should be compact and connected and should support multi-modal transportation. The maximum gross density in the Urban Priority Area shall be 20 units/acre. 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. A description of the category is noted below.

*(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 category as identified in the Future Land Use Map series (FLUMs): Medium Density

Residential (MDR). This proposed rezoning to Planned Unit Development has been reviewed in relation to and is consistent with the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

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

**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 1.1.10** Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

**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 1.1.20** Development uses and densities shall be determined by the Development Areas described in the Operational Provisions for the Central Business District (CBD); Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA) as identified in the 2030 Comprehensive Plan, in order to prevent urban sprawl, protect agricultural lands, conserve natural open space, and to minimize the cost of public facilities and services.

**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 Policy 2.2.8** Encourage the redevelopment and revitalization of run-down and/or underutilized commercial areas through a combination of regulatory techniques, incentives and land use planning. Adopt redevelopment and revitalization strategies and incentives for private reinvestment in under-utilized residential and/or commercial areas where adequate infrastructure to support redevelopment exists.

**FLUE Goal 3** To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

**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 Policy 3.1.3** Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

**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.

The proposed rezoning has been identified as being related to the following issues identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application has been carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:

Airport Environment Zone

The site is located within the 300 foot Height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of less than 300', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.10051(d). See Objective 2.5 of the Future Land Use Element below:

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Additionally, the site is located within a Military School Regulatory Zone. No new educational facility of a public or private school, with the exception of aviation school facilities, shall be permitted within an area extending along the centerline of any runway and within the Civilian School Regulatory Zone as prohibited by Section 656.1009.

Coastal High Hazard Area (CHHA) / Adaptation Action Area (AAA)

Approximately .016 of an acre of the subject site is located within a Coastal High Hazard Area (CHHA) and Adaptation Action Area (AAA), as defined by Sections 163.3178(2)(h) and 163.3164(1), Florida Statutes.

Conservation/Coastal Management Element

Objective 7.4 Limit development density and intensity within the Coastal High Hazard Area (CHHA) and direct it outside of the CHHA, and mitigate the impact of natural hazards in the area.

CCME Policy 7.4.8 The City shall promote, in instances where a proposed project is located within the CHHA, the clustering of uses. Such clustering will be used to limit the acreage within the CHHA that will be affected by the proposed development, and will serve to limit the amount of infrastructure provided within the CHHA. To demonstrate compliance with the clustering concept identified in this policy, proposed site plans may be required to include conditions that restrict future development on any other portion of the site within the CHHA and /or place a conservation easement on any remaining wetlands within the CHHA not already proposed for impacts.

CCME Policy 11.5.1 The City of Jacksonville shall recognize the Coastal High Hazard Area (CHHA) identified in Map C-18 as also encompassing the Adaptation Action Area (AAA) for those low-lying coastal zones that may experience coastal flooding due to extreme high tides and storm surge and are vulnerable to the impacts of rising sea level. (§163.3177(6)(g)(10), F.S.) Land within the AAA is subject to potential high tide inundation under a horizon 2060 two foot sea level rise scenario.

CCME Policy 11.5.2 The City shall consider the implications of the AAA when reviewing changes to the use, intensity and density of land lying within the AAA.

CCME Policy 11.5.3 The City shall recognize existing regulations, programs and policies that overlap with the AAA and that are currently in place to limit public investment and address appropriate development and redevelopment practices related to flooding. These regulations, programs and policies include but are not limited to the floodplain management ordinance, CHHA policies, the Local Mitigation Strategy and the Post Disaster Redevelopment Plan and shall only be applied in cases where such regulation would otherwise apply to a development or redevelopment project.

Manatee Protection Plan Boat Facility Siting Zone

The subject property is located within an area that falls within the jurisdiction of the Manatee Protection Plan Boat Facility Siting Zone. According to the Boat Facility Siting Zones of the Manatee Protection Plan, the property is located in an acceptable with conditions zone and allows for construction of 5 boat slips per 100 linear feet of shoreline owned. Permits must be approved by the Florida Department of Environmental Protection and the St. Johns River Water Management District.

Conservation Coastal Management Element

CCME Policy 10.1.1 The location of future boat facilities shall be consistent with the recommendations within the Future Land Use Element and the Recreation and Open Space Element of the 2030 Comprehensive Plan, as well as any Vision Plan, and any other special study or plan adopted by the City, such as the Boat Facilities Siting Plan located in the MPP.

### Flood Zone

The entire subject site is located within the 100 year flood zone. This area is associated with the St. Johns River and has an elevation of less than 5 feet. Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHAs are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as "AE". Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance:

### Conservation /Coastal Management Element

CCME Policy 1.4.4 The City shall require all development within the 100 year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

CCME Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

CCME Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

- A. Land acquisition or conservation easement acquisition;
- B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
- C. Incentives, including tax benefits and transfer of development rights.

### Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

### Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

### *(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 multi-family development. 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: The proposed development is similar in scale and intensity to the existing development on the property and the neighboring condominiums and duplexes. The project is designed for the townhouses to have vehicular access in the rear of the properties by way of a one-way driveway so as to create frontage on LaSalle Street that will be in keeping with the character of the surrounding area while preserving the historic massing, scale, symmetry, height and setbacks that currently exist on the property.

The use and variety of building setback lines, separations, and buffering: The PUD proposes setbacks and separations that are consistent with surrounding development and provisions of the Zoning Code. Section 656.399.9, Ordinance Code allows any building or structure in existence as of March 9, 2004 that is more than sixty-five (65) percent damaged – as a measure of assessed value – to be sited as it previously existed. The current buildings and structures have been damaged by Hurricane Irma. Estimates provided to make full repair of the property are approximately \$1 million – which is roughly equivalent to the assessed value of the property per the Property Appraiser. The buildings currently sited on the property account for approximately sixty-five (65) percent lot coverage and are located within five (5) feet of the LaSalle Road right-of-way (the front yard) and within five and half (5.5) feet of the River Road right-of-way (side yard) and within five (5) feet of the southern property line (rear yard). The proposed development contemplates a decrease in lot coverage, an increase in the front yards along LaSalle, an equivalent setback on River Road and an increased setback from the southern property line.

The use and variety of building groupings: The PUD proposes to replace eight (8) existing detached multi-family buildings (containing 19 units) with fourteen (14) townhomes. The project's design is for the townhouses to have vehicular access in the rear of the properties by way of a one-way driveway so as to create frontage on LaSalle Street.

The use and variety of building sizes and architectural styles: The PUD does not indicate the architectural styles of the proposed buildings. In order to avoid having garages and parking which face LaSalle Street access to these townhouses must be by way of the private drive through the rear of the other townhouses. The desire is not to reduce cost of development, but

to maintain an urban aesthetic on LaSalle Street by not having driveways or garages facing the road. This requires a private drive and access by way of that private drive to these four units.

*(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 an area which contains multi-family and single family dwellings behind office and commercial uses along San Marco Boulevard. Multi-family development at this location complements the various residential, office and commercial uses by increasing the housing options 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	MDR/HDR	RMD-D/RHD-A	Alexandria Condos/SF/multi-family apts
South	MDR	RMD-D	Multi-family dwellings
East	MDR	RMD-D	Multi-family dwellings
West	N/A	N/A	St Johns River

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:

While the Overlay sets forth design criteria for traditional multi-family development, it does not specifically address criteria for individually owned lots which have multi-family characteristics such as townhouses. Because the types of residences proposed herein feature elements attributable to both single-family and multi-family, development of this project cannot be achieved through the usual application of the Zoning Code and the San Marco Overlay. This PUD provides guidelines and parameters for this specialized residential development that are similar to the current multi-building/multi-family residential development located on the property with respect to setbacks, scale, mass and siting. While the PUD allows for a use not specifically addressed in the Overlay, it allows for urban styled residences in close proximity to dense residential developments and the commercial areas in San Marco.

*(6) Intensity of Development*

The proposed development is consistent with the MDR functional land use category as a multi-family development, which is not to exceed 14 dwelling units. The PUD is appropriate at this location because it will support the existing offices, service establishments and hospital in the area.



The availability and location of utility services and public facilities and services: JEA has indicated it will provide water and sewer.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: According to the Transportation Planning Division, San Marco Boulevard is classified as an arterial roadway and operating at 52% capacity.

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

The project's design is for the townhouses to have vehicular access in the rear of the properties by way of a one-way driveway so as to create frontage on LaSalle Street that in keeping with the character of the surrounding area while preserving the historic massing, scale, symmetry, height and setbacks that currently exist on the property. Greenscape Celebration Park is on the adjacent parcel to the north.

*(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 any wetlands on-site. 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*

There is an existing sidewalk along the northern side of LaSalle Street. The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

### **SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on May 25, 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 **2018-0290** be **APPROVED with the following exhibits:**

1. The original legal description dated March 5, 2018.
2. The revised written description dated May 15, 2018.
3. The original site plan dated March 2, 2018.



Aerial view of subject property



Facing south into the subject site from LaSalle St.





Facing south into the subject site from LaSalle St.



Facing south into the subject site from LaSalle St.





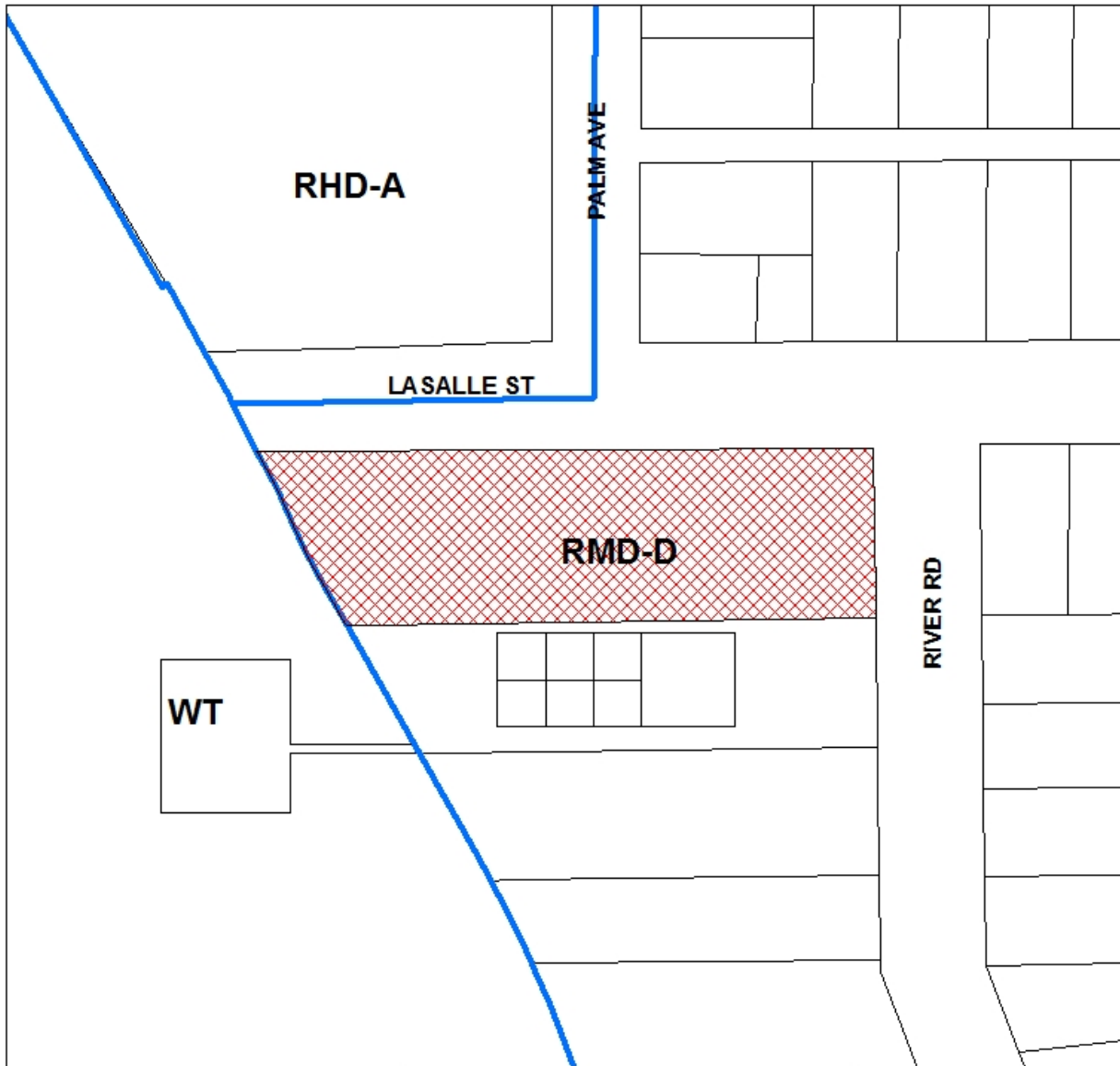
View of subject property on the left facing north along River Road



View of subject property on the right facing west along LaSalle St.

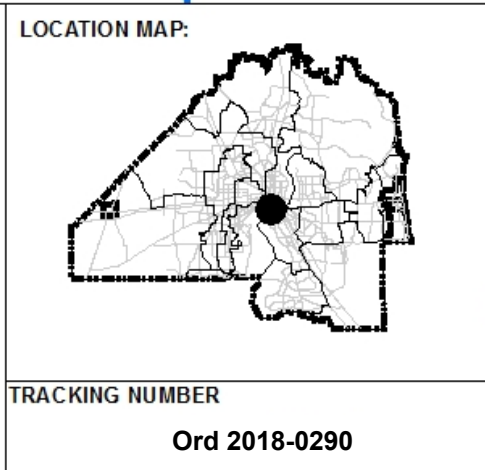


View of subject property on the right facing west along LaSalle St.



REQUEST SOUGHT:

FROM: RMD-D  
TO: PUD



0 30 60 120  
Feet

COUNCIL DISTRICT:  
5

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A north arrow is located at the top right, with 'N', 'S', 'E', and 'W' labels. Below it is a scale bar marked from 0 to 120 feet.