

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

**APPLICATION FOR REZONING ORDINANCE 2018-377 TO**

**PLANNED UNIT DEVELOPMENT**

**JULY, 19, 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 **2018-377** to Planned Unit Development.

***Location:*** 7589 Plantation Bay Drive

***Real Estate Number(s):*** 015913-7000

***Current Zoning District:*** Planned Unit Development (PUD 2011-589)

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

***Current Land Use Category:*** Residential Professional Institutional (RPI)  
Community General Commercial (CGC)

***Planning District:*** Southwest, District 4

***Applicant/Agent:*** Thomas O. Ingram, Esq.  
Akerman, LLP  
50 North Laura Street, Suite 3100  
Jacksonville, Florida 32202

***Owner:*** Sarah Wicker  
Redus Florida Land, LLC  
1 Independent Drive, 10<sup>th</sup> Floor  
Jacksonville, Florida 32202

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

**GENERAL INFORMATION**

Application for Planned Unit Development **2018-377** seeks to rezone approximately 28.35 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 268 multi-family dwelling units, an increase of 39 units over the current PUD. The commercial area will be reduced from 9.94 acres to 3.54 acres. The parcel

was a portion of the Westland Golf Course, which was redeveloped for single-family dwellings in 2007. The current PUD allows up to 229 multi-family units and commercial uses fronting Collins Road.

### **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 Residential Professional Institutional (RPI) and Community General Commercial (CGC) 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.

Residential-Professional-Institutional (RPI) in the Suburban Area is a category primarily intended to provide low to medium density development. Development which includes medium density residential and professional office uses is preferred.

Community/General Commercial (CGC) in the Suburban Area is intended to provide primarily commercial development in a nodal development pattern. While residential development is a permitted use in the CGC land use category, the residential use shall not be the sole use and shall not exceed 80 percent of a development. The provided site plan does not show the square footage of commercial development or the number of residential dwelling units so a determination of compliance or non-compliance cannot be evaluated.

Additionally, the CGC portion of the site was established by a small scale land use amendment in 2011 (Ordinance 2011-0588). The site plan does not provide the density for just the CGC portion of the site. If the proposed density in the CGC area is greater than 10 units/acre, the PUD must meet the requirements of FLUE policy 1.1.10A, below.

Pursuant to Recreation and Open Space Element (ROSE) Policy 2.2.5, the site must provide 150 square feet of active recreation space for each dwelling unit. While the active recreation space is not depicted on the proposed site plan, it is included in the land use table for this application.

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): Residential Professional institutional (RPI) and Community General Commercial (CGC). 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

**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.

**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.

**Policy 1.1.10A** Residential development on sites less than 10 acres that are located within predominantly non-residential Future Land Use Categories and that are processed as small scale map amendments shall be limited to a maximum of 10 dwelling units per acre unless authorized through approval of a Planned Unit Development (PUD) rezoning. The maximum density allowed in the PUD shall be the result of analysis for compatibility with abutting development based on the criteria provided below. The maximum density in each non-residential Future Land Use Category does not constitute entitlement to the maximum permitted density without

justification provided pursuant to analysis of the criteria. Such analysis may lead to a recommendation of approval, denial, or a condition of approval on a Planned Unit Development (PUD) rezoning capping the residential density.

**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.

**Policy 1.3.6** The City shall require that access to newly developed and redeveloped parcels, other than parcels zoned for or used for single-family dwellings, with frontage along two or more roadways be limited in order to protect performance of the City's transportation network. Access shall be limited to one per roadway with access from the higher functional class roadway or roadway with the higher average daily traffic being limited to right turn-in/right turn-out only. However, exemptions from this Policy may be granted by the Traffic Engineering Division and the JPDD where factors justify the exemptions. Factors to be taken into consideration for exemptions may include, but are not limited to: parcel size and road frontage; projected trip generation of a development; safety and congestion hazards; potential for delay on adjacent road facilities; environmental degradation; adequate traffic circulation; and/or elimination of existing access points.

**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.

#### Recreation and Open Space Element

**Objective 2.2** The City's Land Development Regulations, through the Subdivision Ordinances or other Ordinances, shall ensure the provision of open space by private enterprise.

**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.

**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

**Policy 2.3.6** The City shall require that access to newly developed and redeveloped parcels, other than parcels zoned for or used for single-family dwellings, with frontage along two or more roadways be limited in order to protect performance of the City's transportation network. Access shall be limited to one per roadway with access from the higher functional class roadway or roadway with the higher average daily traffic being limited to right turn-in/right turn-out only. However, exemptions from this Policy may be granted by the Traffic Engineering Division and the JPDD where factors justify the exemptions. Factors to be taken into consideration for exemptions may include, but are not limited to: parcel size and road frontage; projected trip generation of a development; safety and congestion hazards; potential for delay on adjacent road facilities; environmental degradation; adequate traffic circulation; and/or elimination of existing access points.

**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 should be carefully evaluated for consistency or inconsistency with the following issues and related goals, objectives and/or policies:**

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 656.1005.1(d).

Future Land Use Element

**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.

#### *(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. There is currently a Fair Share contract for 229 multi-family units and 24,000 square feet of commercial uses.

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

This proposed Planned Unit Development intends to utilize lands for a mixed use development including multi-family and commercial uses. 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 site plan depicts significant open spaces with the existing retention ponds. The multi-family development will be required to provide 150 square feet of recreation area for each dwelling unit.

Traffic and pedestrian circulation patterns: The proposed site plan shows an access on Collins Road and Plantation Bay Drive North. These two access points will allow alternatives routes to Blanding Boulevard and I-295.

The use and variety of building setback lines, separations, and buffering: The Written Description provides setbacks that are typical for commercial and multi-family developments.

The use and variety of building groupings: The grouping shown on the Site Plan is typical of other multi-family developments in the area.

Compatible relationship between land uses in a mixed-use project: The proposed commercial uses are typically found in the CCG-1 Zoning District. The uses are not expected to create any adverse impact to the adjacent uses. A retention pond between the existing multi-family use and the proposed commercial use will act as a buffer to any impacts.

*(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 is primarily residential with single and multi-family developments and scattered office parks. Multi-family development at this location complements the existing residential uses 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	LDR	RLD-60	Single family dwellings
South	MDR	RMD-C	Multi-family apartments
East	MDR	PUD (99-352)	Multi-family apartments
West	LDR	RLD-60	Single family and multi-family dwellings

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:

The current PUD contains three conditions which primarily are concerned with transportation improvements and possible traffic signal at the intersection of Collins Road and Plantation Bay Drive. **Staff is of the opinion the conditions should be added to this PUD.**

There are two conditions which relate to the outparcels and internal access roads. This condition was imposed when the site plan showed several outparcels fronting on Collins Road and an internal access drive to the north. The proposed site plan does not show these outparcels and staff feels these conditions are not needed.

#### *(6) Intensity of Development*

The proposed development is consistent with the RPI and CGC functional land use categories as a multi-family and commercial development, which is not to exceed 268 dwelling units. The PUD is appropriate at this location because it will support the existing offices, commercial and service establishments in the area.

The existing residential density and intensity of use of surrounding lands: There is an existing multi-family development to the east of the proposed site. In addition, the proposed PUD will wrap on two sides of another multi-family development.

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

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECTION
Sadie Tillis ES #116	2	45	493	477	97%	99%
JEB Stuart MS #207	2	20	1,029	620	60%	88%
Westside HS #241	2	25	1,786	1,588	89%	83%

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The development will have access points on Collins Road and Plantation Bay Drive

*(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, for a total of 40,200 square feet.

*(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.

*(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 PUD is requesting to reduce the parking ratio for multi-family to 1.7 spaces per unit. Staff has no objection to the request.

*(11) Sidewalks, trails, and bikeways*

There are existing sidewalks along Collins Road and Plantation Bay Drive. The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.



### SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on July 6, 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 **2018-377** be **APPROVED** with the following exhibits:

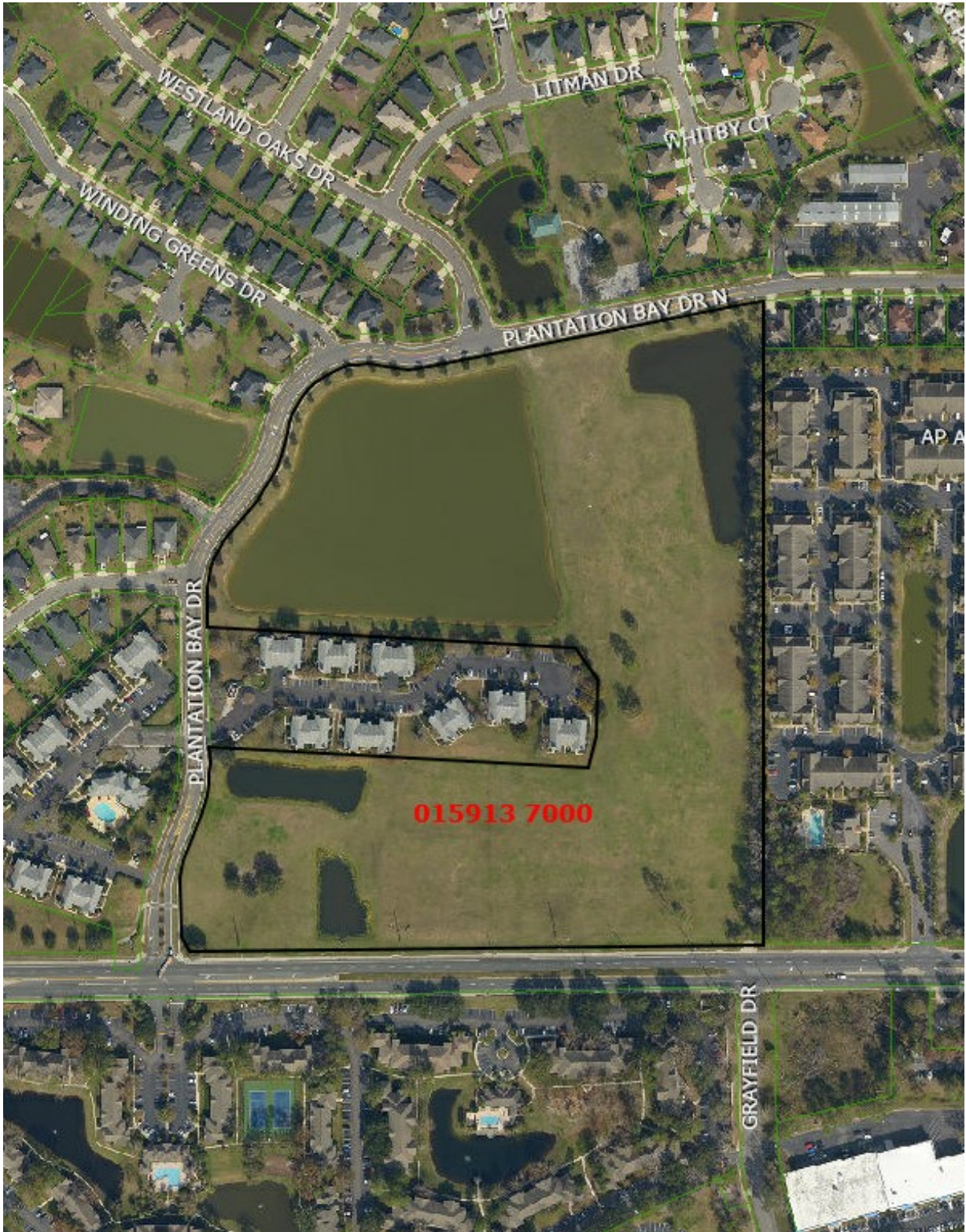
1. The original legal description dated May 7, 2018.
2. The original written description dated May 18, 2018.
3. The original site plan dated May 18, 2018.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2018-377** be **APPROVED** subject to the following conditions, which may only be changed through a rezoning:

1. The Developer shall prepare a traffic study subject to the review and approval of the Transportation Planning Division and the Traffic Engineering Division, to determine if a traffic signal is warranted at the intersection of Collins Road and Plantation Bay Drive. All costs associated with design & construction of signal are the responsibility of the Developer. The traffic signal, if warranted, shall be operational prior to construction of any use.
2. There shall be no additional median openings along Collins Road (existing opening at Plantation Bay Drive and Grayfield Drive where they intersect with Collins Road).

3. Only two (2) right in/right out driveways will be permitted along Collins Road frontage and there shall be no driveway on Collins Road within 250' of the intersection of Plantation Bay Drive & Collins Road (to be signalized by this PUD).
4. The proposed eastern access from Collins Road shall align with Grayfield Drive and shall not be counted as a right in/right out driveway mentioned in the condition above.
5. All sag lenses, drop lenses and convex lenses shall be prohibited. Illumination levels at all property lines shall not exceed one half foot candles when the building or parking areas are located adjacent to residential areas and shall not exceed one foot candle when abutting other non-residential properties. All lighting lamp sources within the parking and pedestrian areas shall be metal halide or compact florescent. The maximum light pole height in all parking areas should not exceed thirty feet. An exterior lighting design plan for each project, including a photometrics plan, pole and fixture schedules shall be submitted at the time of verification of substantial compliance for review and approval by the Planning and Development Department.
6. Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.





Aerial view of subject site.

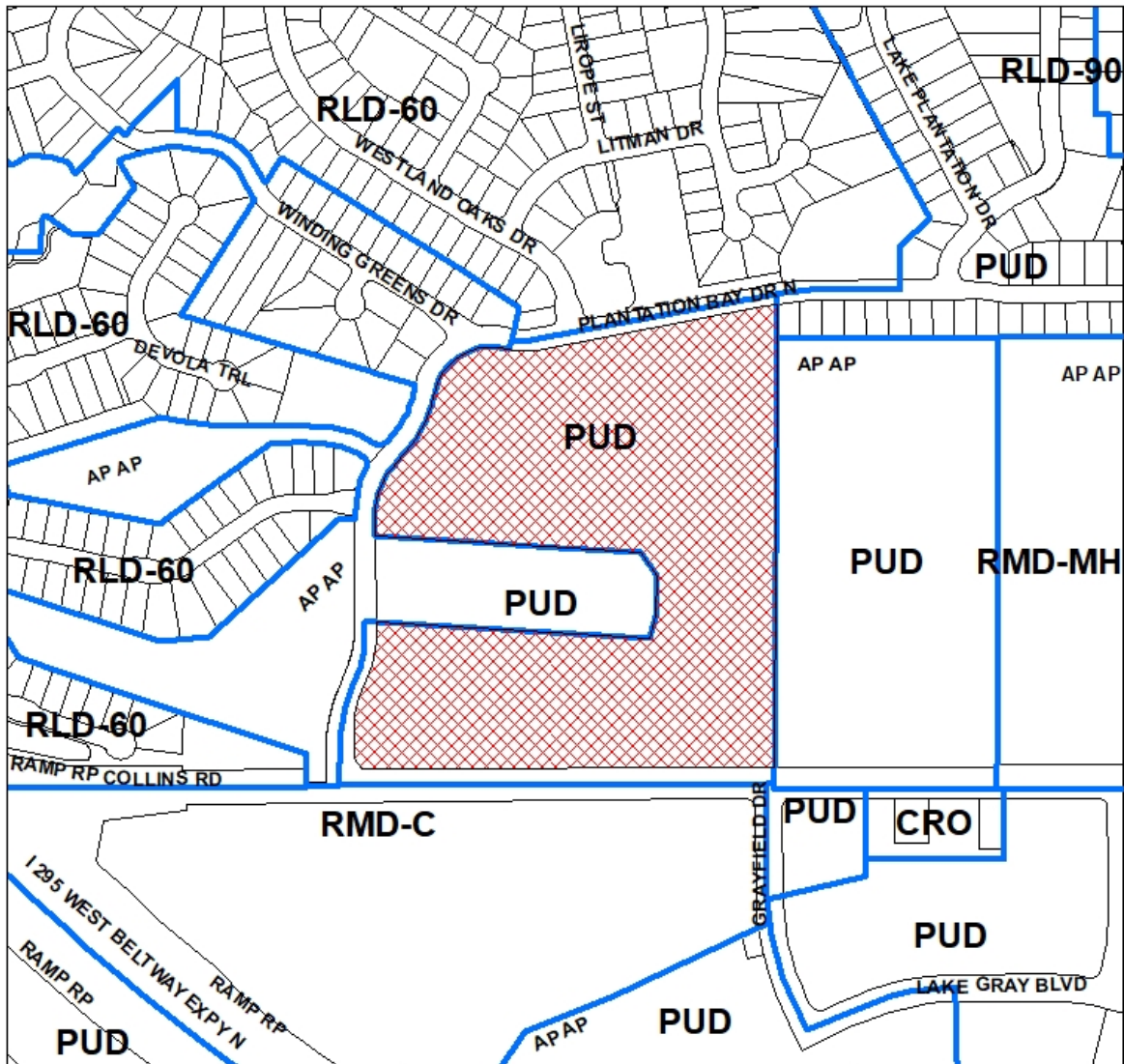


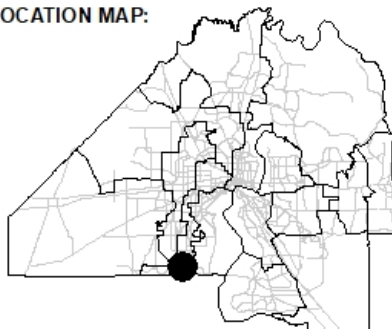
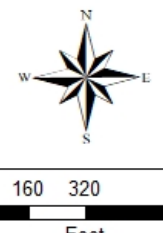


View of subject property.



Adjacent residential dwellings.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER:</p> <p><b>ORD-2018-0377</b></p>	<p>TRACKING NUMBER</p> <p><b>T-2018-1820</b></p>	<p><b>PAGE 1 OF 1</b></p>