

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING 2018-0446 TO PLANNED UNIT DEVELOPMENT

AUGUST 23, 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 **2018-0446** to Planned Unit Development.

Location: 4175 Empower Court; on the west side of Old St.
Augustine Road between Nakema Drive South and Deer
Hollow Lane

Real Estate Number: 155706 0000

Current Zoning District: Planned Unit Development (PUD) (ord. 2011-0701-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Residential Professional Institutional (RPI)

Planning District: Southeast, District 3

City Council District: The Honorable Matt Schellenberg, District 6

Applicant/Agent: Eric J. Almond, P.E.
Almond Engineering, P.A.
6277 Dupont Station Court East, Suite 1
Jacksonville, FL 32217

Owner: Melappalayam Vijayaraghavan
SRI Vista Enterprises
12474 Mandarin Road
Jacksonville, Florida 32223

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2018-0446** seeks to rezone approximately 3.19± acres of land from PUD to PUD. The rezoning to PUD is being sought for the purpose of converting the dual land use (commercial and single family residential uses approved per the previously approved PUD) to a singular multifamily townhome use. Proposed within this PUD rezoning application are 30 multifamily townhomes. A single public road with a cul-de-sac (50-foot ROW) will be dedicated to the COJ. The previously approved PUD (ORD 2011-701) named

SOLARIS-7 was approved for a mixture of commercial uses on the front 2.15 acres and single family residential on the rear remaining 1.04 acres. The site plan for ORD 2011-701 showed a 3-story commercial building totaling 21,120 square feet of gross floor area, 68 parking spaces and 6 single family residential lots.

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) 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 RPI functional land use category permits a mixture of uses intended to accommodate office, commercial/retail, service establishments, residential, and a broad range of secondary and supporting uses including recreational, institutional, and public facilities and services. 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?

Yes. 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 categories as identified in the Future Land Use Map series (FLUMs): Residential Professional Institutional (RPI).

The site is located in the Urban Development Area. Single use developments are limited to residential or office in the RPI land use and shall meet the requirements of the MDR category. The number of townhomes is well within the density permitted in MDR. Maximum density for the 3.19 site would allow 63 units; the PUD limits development to 30 units.

To ensure compliance with the provisions of the Comprehensive Plan, staff has analyzed the proposed zoning application in relation to the following goals, objectives, policies and/or text of the 2030 Comprehensive Plan:

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 the 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 1.1.22 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 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 Policy 3.1.6 The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

FLUE Policy 3.1.19 The City shall adopt criteria and standards in order to limit the location of single-family attached and multi-family housing units to the periphery of established single-family detached neighborhoods and non-residential nodes, along collectors, arterials, and rail transit corridors, unless the higher density residential development is a component of a mixed or multi-use project.

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:

FLUE 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.

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

(2) Consistency with the Concurrency Management System

Pursuant to the provisions of Chapter 655 *Concurrency Management 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. The property was previously subject to CCAS application 78710.0 Solaris-7: Mixed Use and companion CRC application 78710.1 for the following: 1st floor 7,000 encl sf of retail (ITE code 820). 2nd & 3rd floor to have 16,000 encl sf of office (ITE 710). Proposed project also will have 6 (six) single family homes (ITE 210). Both applications have expired and the proposed development will require new applications for a Mobility Fee Calculation Certificate (MFCC) and Concurrency Reservation Certificate (CRC). The calculated Mobility Fee must be paid prior to issuance of the site work permit. Offsetting credit for previous or existing structures on the property might be possible if adequately documented by the applicant.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject property for 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 use of existing and proposed landscaping: The project will be required to meet the minimum landscaping standards set forth in Section 656, Part 12. Additionally, the applicant has designed a development plan and parking layout that preserves specimen trees and wooded areas throughout the property.

The use of topography, physical environment and other natural features: Vehicular access shall be via a proposed public road with a 50-foot right-of-way. The proposed public road shall be designed in accordance with COJ development criteria for public roadways. There will be a stormwater retention facility located on the western side of the property.

Traffic and pedestrian circulation patterns: The property will be accessed through one point of access on Old St. Augustine Road along an approved road with pedestrian access being provided by a 5-foot wide sidewalk.

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

follows the Zoning Code closely for RLD-TNH. The previous PUD allowed for commercial and single family residential uses in both the written description and site plan. The proposed PUD simply allows for multifamily residential only while still conforming to the relevant portions of the traditional zoning code. The applicant proposes setbacks for the PUD in keeping with those found within the RLD-TNH residential Zoning District:

Townhouses and rowhouses.

(a) Each building or structure to be sold to individual owners containing townhouses or rowhouses or each development of contiguous townhouse units shall comply with all development regulations, including overall lot and yard requirements and density, for multiple-family dwellings, except as provided in this Section. Where lots are to be sold to individual owners of townhouses or rowhouses in a building, the lots shall be platted pursuant to Chapter 654, Ordinance Code, and the following regulations shall apply to such subdivision plats and to the individual units or lots:

(1) Minimum lot width: - 15 feet; 25 feet for end units.

(2) Minimum lot area: - 1,500 square feet.

(3) Maximum lot coverage by all buildings: - 70 percent.

(4) Maximum yard requirements:

(a) Front - 22 feet from the outside edge of sidewalk to the garage face where sidewalks are located on that side of the street and 15 feet to the building façade; 22 feet from the back edge of curb where no sidewalks are located to the garage face and 15 feet to the building façade; 15 feet, if access to garage is from an alley.

(b) Side - 0 feet; 10 feet for end units.

(c) Rear - 10 feet.

(5) Maximum height of structures. 35 feet.

(6) Minimum open space. The gross density for an RLD Zoning District may not exceed the Land Use Category density. Where individual lot sizes may exceed the Land Use Category density, open space shall be platted as a separate tract and designated as "open space" on such plat.

The particular land uses proposed and the conditions and limitations thereon: Applicant proposes land uses permitted in the RLD-TMH Zoning District. The intensity of uses, buffers and landscaping provided, and presence of storm water retention facilities provide a gradual transition between the residential and commercial uses areas to the north and south.

Signage: The applicant proposes typical residential signage for the proposed development - two single faced entry ground-based monument signs not exceeding 24 square feet in area and 8 feet in height.

(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: Deer Hollow Lane, a narrow private dirt road, borders the property to the south whereas a public easement borders the property to the north. Residentially zoned land can be found to the north and west of the property. The location and type of uses within the PUD are complementary to those found in the surrounding 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(s)
North	LDR	RLD-60	Single-family
East	NC	CO / PUD (1981-621-E)	Office/ Fuel Service
South	RPI / NC	PUD	Office
West	RPI	CO	Office

(6) Intensity of Development

The proposed development is consistent with the RPI functional land use category and will be a multi-family development that will not exceed 30 dwelling units. The PUD is appropriate at this location with specific reference to the following:

The existing residential density and intensity of use of surrounding lands: A residential subdivision with RLD-60 zoning is located just north of the subject property. The development is located in an area that contains a mix of both multifamily and single-family properties in close proximity to a handful of commercial, retail and office parcels surrounding it.

The availability and location of utility services and public facilities and services: The site is served by city sewer and water.

(7) Usable open spaces plazas, recreation areas.

While the site will contain areas of open space, no active recreation areas are being provided. As this project only proposes 30 multifamily units, the applicant is requesting that this project be exempt from the recreation and open space requirements in the Zoning Code and not be required to pay into the Recreation Open Space Fund. The subject site is located roughly $\frac{3}{4}$ of a mile from Burnett Park.

(8) Impact on wetlands

Surveying of a 2004 Geographical Information Systems shape file did not identify 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

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 visual inspection of the subject property on August 13, 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 the application for Rezoning **2018-0446** be **APPROVED** with the following exhibits:

1. The original legal description dated April 10, 2018.
2. The original written description dated April 20, 2018
3. The original site plan dated April 23, 2018.



Aerial view of the subject site facing north



Facing west into the subject site from Old St Augustine Rd.



The subject site on the right facing south along Old St Augustine Rd.



Site is wooded and undeveloped.



**Existing easement along the north property boundary. A single-family subdivision
Is just north of the subject site.**



Gas station east of the property along Old St. Augustine Road.



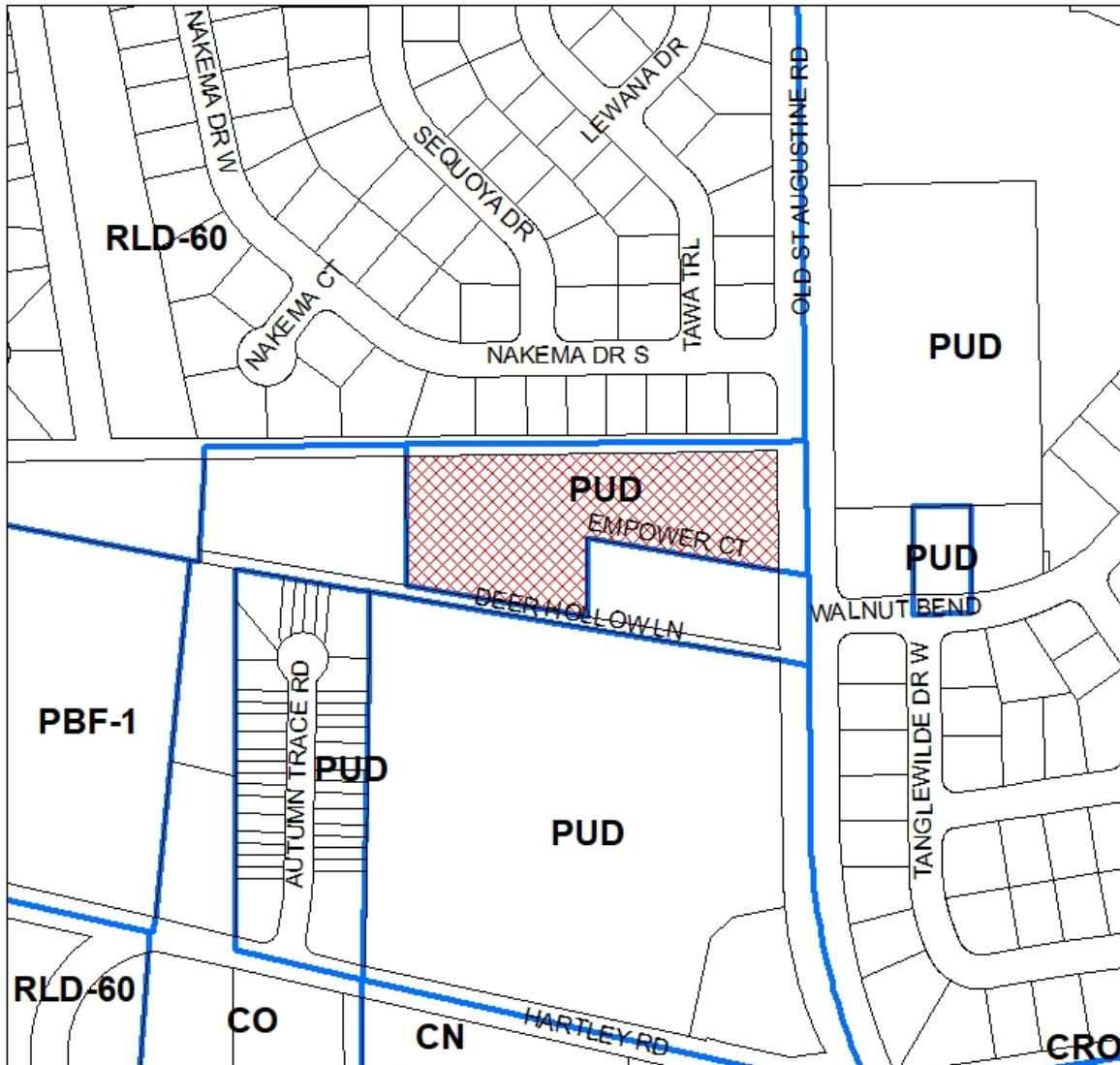
Professional office located south of the property along Old St. Augustine Road.

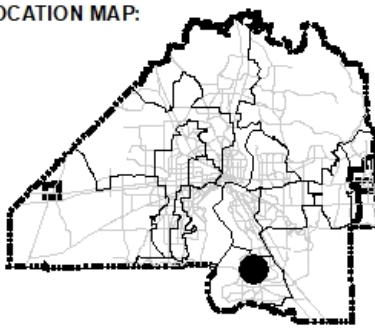
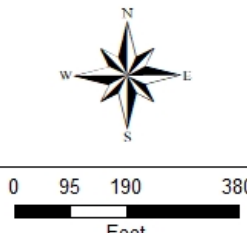


Deer Hollow Lane borders the southern edge of the parcel.



Existing retention area existing toward the rear of the well wooded property.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p> <p>Ordinance 2018-0446</p>	<p>LOCATION MAP:</p> 	
	<p>TRACKING NUMBER</p> <p>T-2018-1792</p>	<p>COUNCIL DISTRICT:</p> <p>6</p> <p>PAGE 1 OF 1</p>