

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2018-0761 TO
PLANNED UNIT DEVELOPMENT

DECEMBER 6, 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 **2018-0761** to Planned Unit Development.

Location: 0 Starratt Road and 0 Lord Nelson Boulevard
Between Airport Center Drive East and Bonaparte
Landing Boulevard

Real Estate Numbers: 106940 0715, 106935 0500, and 106935 0000

Current Zoning Districts: Planned Unit Development (PUD 2000-1248)

Proposed Zoning District: Planned Unit Development (PUD)

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

Planning District: 6-North

Applicant/Agent: Emily Pierce, Esq.
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, FL 32207

Owner: JRL Investments, LLC
4580 Julington Creek Road
Jacksonville, FL 32258

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2018-0761** seeks to rezone approximately 13.75± acres of land from PUD 2000-1248 to PUD. The rezoning to a new PUD is being sought in order to allow for a maximum of 80 townhome units in conjunction with a limited range of commercial neighborhood uses on the outparcels.

The current PUD, **2000-1248-E**, spans 90 acres and allows up to 105 single-family dwellings with a minimum 60-foot lot width on one parcel and a minimum 80-foot lot width on another parcel. Both parcels have been fully developed as the present-day Bonaparte Landing and Parque Diane subdivisions. The remaining land (Parcels A and B) allows for neighborhood commercial development—which has never commenced. In relation to the current PUD, the proposed rezoning only covers 13.75± acres of land. Nonetheless, **2000-1248-E** was enacted on September 13, 2000 with the following conditions:

- (a) Prior to verification of substantial compliance with the PUD, the project shall be subject to the further review and approval of the Traffic Engineering Division and the Planning and Development Department to address the development improvements and conditions referenced in the memoranda dated August 14, 2001 from the Planning and Development Department Transportation Planning Division and August 14, 2001 from the Department of Public Works attached hereto as Composite Exhibit B.
- (b) Signage on Parcel A shall be limited to two monument signs only if two separate outparcels are developed. The combined square footage of these signs shall not exceed one square foot for each linear foot of street frontage on the street along which the sign is located, to a maximum area of one hundred square feet for each sign. The signs shall not exceed fifteen feet in height and shall be located no closer than one hundred twenty-five feet apart, measured by a straight line between such signs. Wall signs are permitted. All signs may be illuminated or non-illuminated. A master signage plan is subject to the review and approval of the Planning and Development Department.
- (c) Signage on Parcel B shall be limited to one monument sign, not exceeding one square foot for each linear foot of street frontage on the street along which the sign is located, to a maximum area of two hundred square feet and fifteen feet in height. Wall signs are permitted. All signs may be illuminated or non-illuminated.
- (d) The applicant should document silvicultural operations have been maintained on the property within the past 20 years, subject to the review and approval of the Planning and Development Department, prior to claiming the benefit of any bona fide agricultural use exemption.

Condition (a) is not being recommended by Staff for this report as the Traffic Engineering Division and Transportation Division has submitted new comments for the proposed development, which are newly conditioned below.

Conditions (b) and (c) are not being recommended by Staff for this report as the boundaries for the proposed development do not include “Parcel B” as outlined here but instead includes outparcels for residential and commercial use. Additionally, the signage standards currently being proposed by the applicant are already below ten (10) foot height maximum and 100 square foot maximum.

Condition (d) is not being recommended by Staff for this report as the applicant has not expressly stated any intention on using the property for silvicultural operations.

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.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

(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 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.

According to the Category Descriptions identified within the FLUE, CGC in the Suburban Area is intended to provide development in a nodal development pattern. Principal uses in the CGC include but are not limited to commercial retail sales and service; restaurants; hotels and motels; business and professional offices; financial institutions; multi-family dwellings; and commercial recreation and entertainment facilities. **Residential uses shall not be the sole use and shall not exceed 80 percent of a development.**

Therefore, Staff finds the proposed rezoning to be consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Zoning 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 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): 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 (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 and uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

Policy 1.2.22

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.

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.

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.

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.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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.

Recreation and Open Space Element

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 2.2.4

A residential **subdivision** development of 25 lots to 99 lots shall pay a recreation and open space fee of two-hundred-fifty (\$250) dollars per lot, or provide at least four hundred thirty-five (435) square feet of useable uplands for each lot (and any fraction thereof), to be dedicated as common area and set aside for active recreation. The City shall use recreation and open space fees collected pursuant to this subsection to improve, enhance, expand, or acquire recreation areas within the same Planning District in which the fees are paid.

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 Department.

Wetlands:

Review of City data indicates the potential existence of wetlands on the subject site and as such, based upon the city's geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 0.60 of an acre
General Location(s): Isolated pocket in the northeast corner of the subject site (see Wetlands Map below)

Quality/Functional Value:

The wetland has a low functional value for water filtration attenuation and flood water storage capacity due to its isolation, size and/or the lowering of the hydro-period due to nearby site grading or drainage/retention improvements. In addition the wetland has no clear or significant impact on the City's waterways.

Soil Types/ Characteristics:

(63) Sapelo fine sand, 0-2% slopes – The Sapelo series consists of nearly level, poorly drained soils. These soils formed in thick loamy and sandy sediments. They are in flatwoods. The soils are moderately slowly permeable. Generally, the high water table is at a depth of 6-18 inches. Slopes are linear and range from 0-2%.

Wetland Category:

Category III

Consistency of Permitted Uses:

All uses allowed, see CCME Policy 4.1.6 below.

Environmental Resource Permit (ERP):

Not provided for review.

Wetlands Impact:

PUD site plan shows the wetlands area as being conserved as "jurisdictional wetlands currently under conservation easement."

Associated Impacts:

None identified.

(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. Mobility and Concurrency application #98314.0 / CRC # 98314.1 / City Development #9669 is currently reserved in the system for 80 townhomes. Before the Concurrency office can sign off on any building permit applications pertaining to this site, the Mobility fee in the amount of \$124,953 must be paid.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcels for a mixed-use development. Moreover, 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 and written description indicates that 0.36 acres of open space will be provided. According to the site plan, there are two (2) areas designated for “recreational area/open space,” which could allow for a range of uses including a playground, dog park, nature trail, or picnic area—as outlined in the Written Description.

The use of existing and proposed landscaping: The subject site will be developed in accordance with Part 12 of the Zoning Code and Article 25 of Charter of the City of Jacksonville. Additional trees will also be planted along the eastern boundary line for Parcel B, which shall serve as a comparable buffer between the townhomes and the existing stormwater management facility.

The treatment of pedestrian ways: Pursuant to the provisions outlined in the 2030 Comprehensive Plan, the proposed development will provide sidewalks internal to the site along with sufficient site lighting in walkways, parking areas, and open spaces.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Starratt Road and Airport Center Drive East.

Airport Center Drive East, from Main Street to New Berlin Road, is the directly accessed roadway. Airport Center Drive East is a 4-lane divided facility in this vicinity and is currently operating at 32% of capacity. This Airport Center Drive East segment has a maximum daily capacity of 35,820 vpd and a 2017 daily traffic volume of 11,500 vpd.

The particular land uses proposed and the conditions and limitations thereon: As denoted on the site plan, Parcel C will directly abut the Bonaparte Landing subdivision to the southeast. Therefore, Staff has recommended limiting the commercial uses in this parcel in order to provide for more scalable and transitional uses, protect the character of the single-family dwellings, and lessen the impacts of commercial intrusion.

The form of ownership proposed for various uses: Based on the written description, the proposed townhomes will be conveyed for fee simple ownership.

Compatible relationship between land uses in a mixed-use project: The composite mixture of townhomes and neighborhood commercial uses would allow for a unique compatibility in the given area and eliminate the impact of more intensive uses typically found in the CGC functional land use category.

(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 the Oceanway neighborhood area where single-family dwellings are the predominate use. Although being developed for multi-family use, the subject site will preserve the residential character of the area. Moreover, a multi-family development at this location will complement the neighboring single-family homes and increase the availability of housing options within the vicinity.

Nonetheless, the adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Property Use
North	CGC/LDR	PUD 2000-1248	Vacant/Single-Family Dwellings
South	CGC/LDR	PUD 2000-1134	Single-Family Dwellings
East	LDR	PUD 2000-1248	Single-Family Dwellings
West	LDR	PUD 1999-1328	Single-Family Dwellings

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category and is a mixed-use development, with the residential component not to exceed 80 percent of the development and the commercial space to be developed with a minimum of 15,000 square feet.

The availability and location of utility services and public facilities and services: The subject site will be serviced by JEA for city water and sewer.

School Capacity:

Based on the Development Standards for impact assessment, the 13.75 acre proposed PUD rezoning has a development potential of 80 multi-family units. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

School concurrency LOS is the methodology used to analyze and to determine whether there is adequate school capacity for each school type (elementary, middle, and high school) to accommodate a proposed development. The LOS (105% of permanent capacity) is based on Concurrency Service Areas (CSAs), not the closest school in the area for elementary, middle and high schools, as well as on other standards set forth in the City of Jacksonville School Concurrency Ordinance.

In evaluating the proposed residential development for school concurrency, the following results were documented:

School Impact Analysis
PUD 2018-0761

Development Potential: 80 Multi-family Units

School Type	CSA	2017-18 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats
Elementary	7	3,192	89%	13	84%	138
Middle	1	23,403	83%	6	87%	1,621
High	7	2,098	95%	7	89%	57
Total New Students				27		

Total Student Generation Yield: 0.333

Elementary: 0.167

Middle: 0.073

High: 0.093

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

Public School Facilities Element

Policy 2.3.2

The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate with adequate school capacity.

Policy 2.3.3

The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

Objective 3.2

Adopted Level of Service (LOS) Standards

Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

Policy 3.1.1

The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City’s Capital Improvement Plan.

Supplemental School Information:

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance.

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/ Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECTION
Sheffield ES #242	7	17	942	755	80%	86%
Oceanway MS #62	1	7	1,009	949	95%	99%
First Coast HS #265	7	9	2,212	2,098	95%	100%

- Does not include ESE & room exclusions
- Analysis based on a **maximum 80 dwelling units** – PUD 2018-0761

The amount and size of open spaces, plazas, common areas and recreation areas: The site plan and written description indicates that 0.36 acres of open space will be provided. According to the site plan, there are two (2) areas designated for “recreational area/open space,” which could allow for a range of uses including a playground, dog park, nature trail, or picnic area—as outlined in the Written Description

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject property will have direct access to the proposed development via Starratt Road and Airport Center Drive East. The Traffic Engineer also reviewed the application and has issued comments. Staff supports the Engineer’s findings and forwards to you the following:

- Parcel “A” shall have no access to Airport Center Drive or Starratt Rd.
- Remove the unused driveway stub out on Starratt Rd opposite Bonaparte Dr.
- If the entrance is to be gated, it shall be designed such that vehicles waiting for the gate shall never queue into the public roads. A queuing study shall be included in the site plan review. A turnaround shall be provided so that drivers at the gated entrance who do not have access will not have to back out into the public street.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space in accordance with Section 656.420 of the Zoning Code and Policy 2.2.4 or 2.2.5 as applicable of the Recreation and Open Space Element of the 2030 Comprehensive Plan.

(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 confirmed the presence of Category III wetlands on-site. The wetlands are located in the northeastern corner of the subject site and on the southern end near Bonaparte Landing Boulevard.



Map showing wetlands.

In knowledge of this, the proposed development's site plan indicates the wetlands will be conserved as "jurisdictional wetlands currently under conservation easement." Nonetheless, the written description states, "to the extent any wetland impacts occur, they will be mitigated for in accordance with the rules and regulations of the St. Johns River Water Management District." For more information regarding wetlands, please see the attached memorandum from Community Planning Division.

(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.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **October 25, 2018** by the Planning and Development Department, the Notice of Public Hearing sign were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2018-0761** be **APPROVED with the following exhibits:**

- The original legal description dated October 25, 2018**
- The original written description dated October 25, 2018**
- The original site plan dated October 25, 2018**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2018-0761** be **APPROVED.**

- 1. With 80 residential units proposed and residential uses limited to 80 percent of a development in the CGC category, the development shall be required to provide a minimum of 15,000 square feet of non-residential uses.**
- 2. Parcel "A" shall have no access to Airport Center Drive or Starratt Rd.**

3. **The unused driveway stub out on Starratt Rd opposite Bonaparte Drive shall be removed.**
4. **If the entrance is to be gated, it shall be designed such that vehicles waiting for the gate shall never queue into the public roads. A queuing study shall be included in the site plan review. A turnaround shall be provided so that drivers at the gated entrance who do not have access will not have to back out into the public street.**
5. **This development is subject to mobility fee review.**
6. **All comments or conditions made by Transportation Planning Division or Traffic Engineering Division are required PUD/Zoning conditions of the Transportation Planning Division unless otherwise waived in writing by the Chief of Transportation Planning Division or waived by Planning Commission, LUZ Committee, or City Council.**
7. **The developer shall construct a physical barrier or curbing on Airport Center Drive East to prevent motorists from crossing the median to access Vanguard Road.**
8. **Pursuant to Policy 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan, the applicant must provide for the convenient and safe access by and securing of bicycles on site. The bicycle parking must be consistent with the requirements outlined in Part 6 of the Zoning Code.**
9. **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.**

Figure A:



Source: Planning & Development Dept, 10/26/18

Aerial view of the subject site and parcel, facing north.

Figure B:



Source: Planning & Development Dept, 10/18/18

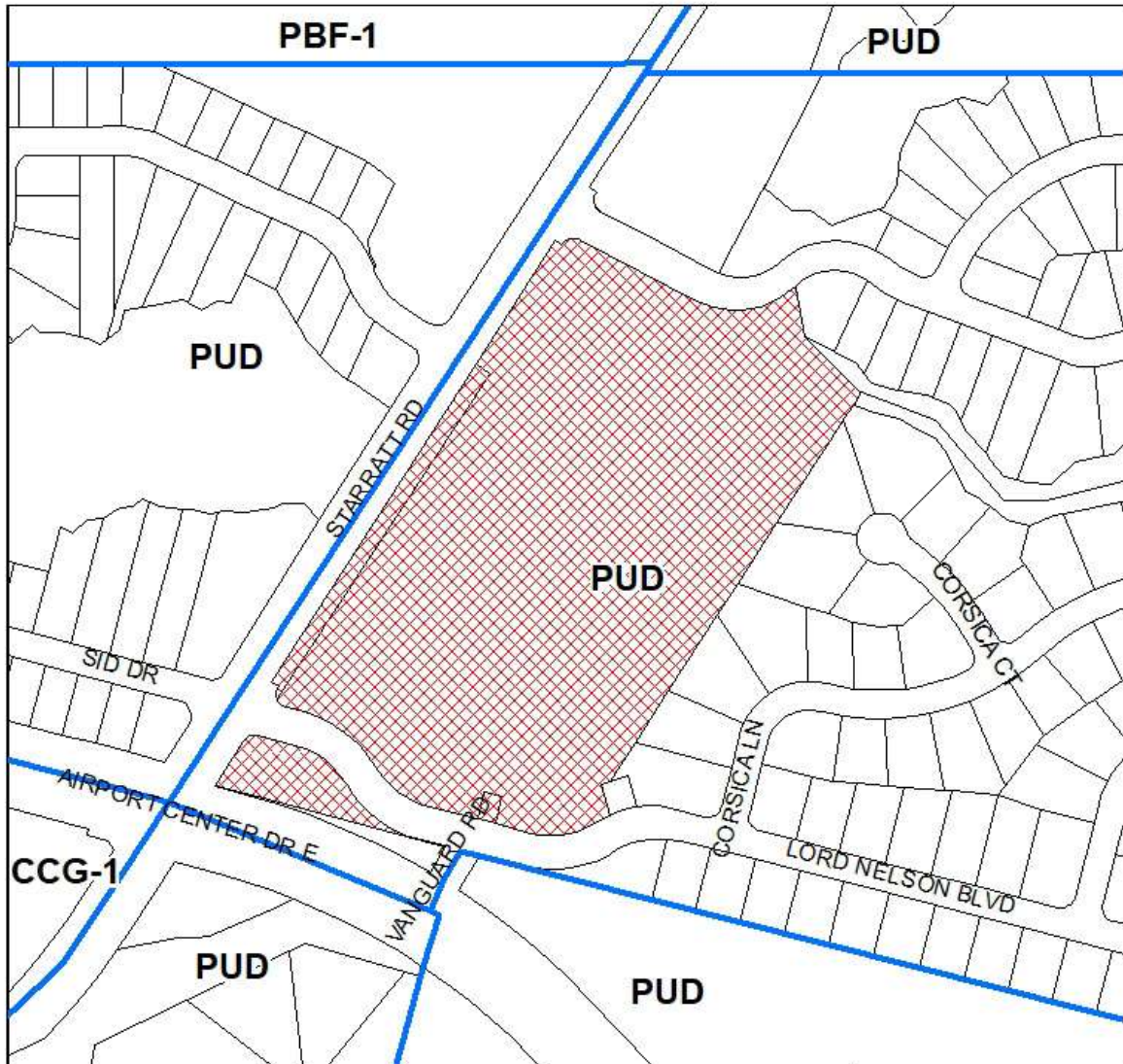
View of the subject site facing north.

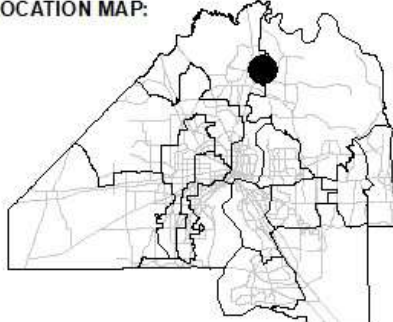

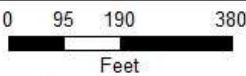
Figure C:



Source: Planning & Development Dept, 10/18/18

View of the New Berlin Road and the vacant property directly across from the subject property, facing southwest.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	  <p>0 95 190 380 Feet</p> <p>COUNCIL DISTRICT: 2</p>
<p>ORDINANCE ORD-2018-0761</p>	<p>TRACKING NUMBER T-2018-2035</p>	<p>PAGE 1 OF 1</p>