

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-0007 TO**  
**PLANNED UNIT DEVELOPMENT**

**FEBRUARY 7, 2019**

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 **2019-0007** to Planned Unit Development.

***Location:*** 9591 Normandy Boulevard (SR 228)  
Between Patriot Ridge Road and Guardian Drive

***Real Estate Numbers:*** 008988-0500, 008989-0000, 008993-0000, 009026-1002, and 009067-0200

***Current Zoning Districts:*** Planned Unit Development (PUD 2005-1228-E)  
Commercial Community/General-1 (CCG-1)

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

***Current Land Use Category:*** Medium Density Residential (MDR)  
Community/General Commercial (CGC)

***Planning District:*** 5-Northwest

***Applicant/Agent:*** Wyman R. Duggan, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, FL 32207

***Owner:*** R. Timothy Carter/R. Timothy Carter Trust  
2624 Red Fox Road  
Orange Park, FL 32073

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

**GENERAL INFORMATION**

Application for Planned Unit Development **2019-0007** seeks to rezone approximately 90.45± acres of land from PUD Ordinance 2005-1225 and CCG-2 to PUD. The rezoning to a new PUD is being sought in order to allow for mixed-use development that will contain a maximum of 168 single-

family dwelling units in conjunction with a limited range of commercial uses. The dwelling units will vary between 40-foot to 60-foot lot widths.

There is a companion Small Scale Land Use Amendment L-5336-18C (**Ordinance 2019-0006**) that seeks to amend a portion of land on the property from Community/General Commercial (CGC) to Medium Density Residential (MDR).

The current PUD, **2005-1228-E**, spans 85.50± acres and allows up to 420 multi-family dwelling units and a commercial parcel with a maximum 75,000 square feet of retail space. Both parcels have remained undeveloped. In relation to the current PUD, the proposed rezoning covers a slightly larger 90.45± acres of land. Nonetheless, **2005-1228-E** was enacted on May 12, 2009 with the following conditions:

- (a) Development shall proceed in accordance with the Development Services Division Memorandum dated March 13, 2009, the Transportation Planning Section Memorandum dated March 16, 2009, and the FDOT Memorandum dated October 20, 2005, or as otherwise approved by the Planning and Development Department and FDOT.
- (b) The development shall comply with Part 6 of the Zoning Code (Parking Requirements).
- (c) The signs for the commercial parcels shall not exceed 35 feet in height.
- (d) Schools are not permitted on Parcel 1.
- (e) The maximum building height shall not exceed 50 feet.
- (f) Access to the portion of the site north of Old Gainesville Road shall be reviewed and approved at the time of verification of substantial compliance of the PUD.

**The Planning and Development has reviewed the conditions of the enacted ordinance and forwards the following comments:**

**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 later in this report.**

**Condition (b) is not recommended by Staff for this report as the applicant has proposed a specialized set of parking standards for the proposed development, which Staff is recommending for approval.**

**Condition (c) is not being recommended for this report as Staff finds the proposed 20 foot height restriction in the applicant's Written Description, dated December 20, 2018, well below the 35 foot height threshold and much more compatible with the abutting single-family uses.**

**Condition (d) is not being recommended by Staff for this report as the applicant has not expressly listed schools as a permitted use in the Written Description, dated December 20, 2018.**

**Condition (e) will be recommended by Staff for this report as the subject site is located in the 50-foot Height and Hazard Zone for the Herlong Recreational Airport.**

**Condition (f) is not being recommended by Staff for this report as the applicant has not expressly stated any intention on using Old Gainesville Road for access.**

### **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:

#### ***(A) 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) and Medium Density Residential (MDR) 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 for the Suburban Development Area identified within the Future Land Use Element (FLUE), 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 areas. The maximum gross density in the suburban area is 20 units/acre when full urban services are available.

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.

#### ***(B) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?***

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 1.2.9**

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

In reference to the attached JEA Availability Letter, **2018-2073**, the proposed development must connect to City water and sewer.

**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.

The proposed rezoning at the subject site would directly address the projected growth along Normandy Boulevard by providing for a greater variety of housing options for local citizens.

**Policy 3.1.3**

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

Based on the site plan, a scale transition is being planned between the commercial and residential parcel through adequate buffering and comparable height limits.

**Policy 4.1.8B**

The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

The proposed development is within the Northwest Planning District and is within the boundaries of the Northwest Vision. The Vision Plan designates the project area as being suburban in nature and recommends that new developments be based upon creating new communities, not subdivisions. Therefore, the mixed-use nature of the intended plan of the development is consistent with the Northwest Vision Plan.

**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.

The proposed rezoning to a PUD would allow for commercial and residential infill on traditionally vacant and underutilized parcels along Normandy Boulevard. The PUD will also allow for a greater variety of mixed residential lots—which directly will address the housing 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.

As demonstrated on the attached site plan, the proposed development will provide an active recreation park along the site's western property line.

**Policy 2.2.3**

A residential subdivision development of 100 lots or more shall provide at least one acre of useable uplands for every 100 lots (and any fraction thereof), or 5% of the total useable uplands area to be platted, whichever is less, to be dedicated as common area and set aside for active recreation. There may be up to two areas for each 100 lots, and the areas shall be a minimum of 0.5 acres in size, unless otherwise approved by the Planning and Development Department, or by the City Council as part of a Planned Unit Development Zoning District.

In accordance with the policy mentioned herein, the single-family dwelling subdivision outlined on the site plan, dated December 18, 2018, will provide active recreation/amenities at a ratio minimum of one acre per 100 residential lots.

***(C) 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 categories as identified in the Future Land Use Map series (FLUMs): Community/General Commercial (CGC) and Medium Density Residential (MDR). There is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5336-18C (Ordinance 2019-0006) that seeks amend a portion of the subject property within the CGC land use category to MDR land use. Nonetheless, Staff finds the proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, as previously evaluated in Criteria (B).

***(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. Currently, this development falls under Development Agreement #77884: **Normandy PUD: Mixed Use**, which reserves/allows for 500 apartment/multi-family units (ITE 220) and 75,000 enclosed square feet of retail/commercial (ITE 820).

Considering Development Agreement #77884 has been in default since 2013 on its Annual Fee Payment, it must be paid prior to any submittals of companion CCAS / CRC applications. This is an annual fee payment that keeps the Development Agreement in an approved/active status.

The agent/owner will need to apply for a companion CCAS/CRC application with the Concurrency & Mobility Management System Office during each phase of the project as it is developed.

***(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 1.78 acres of land will be provided for an active and recreational park. According to the site plan, the park will be situated along the western property line. The applicant has also stated that recreation/amenities may include open space, pedestrian paths, a recreation center, pool, or cabana/club house.

**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. The applicant has also requested additional landscaping standards, which eliminates the internal buffer requirements within the commercial parcel and allow for a ten-foot uncomplimentary between the residential and commercial parcel.

**The treatment of pedestrian ways:** Pursuant to the provisions outlined in Chapter 654 Code of Subdivision Regulations and the 2030 Comprehensive Plan, the proposed development will provide bicycle and pedestrian connectivity on both sides of the interior access road between Normandy Boulevard and the beginning of the residential lots.

**Traffic and pedestrian circulation patterns:** As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Normandy Boulevard and an internal 2-lane roadway.

Normandy Boulevard (SR 228), from Chaffee Road to Herlong Road, is the directly accessed functionally classified roadway. Normandy Boulevard is a 4-lane divided Arterial in this vicinity and is currently operating at 40.5% of capacity. This Normandy Boulevard segment has a maximum daily capacity of 37,900 vpd and a 2017 daily traffic volume of 15,347 vpd.

This proposal is for 168 dwelling units of ITE Single Family, which would generate 1,586 vpd.

**The variety and design of dwelling types:** The proposed residential parcel will contain a maximum of 168 single-family dwelling units—which will range in the following lot sizes: 126 forty-foot lots, 34 fifty-foot lots, and 8 sixty-foot lots.

**Compatible relationship between land uses in a mixed-use project:** Developing the site for single-family dwellings and commercial retail uses creates an opportunity for unique and compact compatibility in the given area. This mixed-use development will further the intent of the Northwest Vision Plan, which is to create communities rather than subdivisions in the suburban areas of the Northwest Planning District.

#### ***(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 between Patriot Ridge Road and Guardian Drive where single-family dwellings are the predominate use. Although being developed for mixed use, the subject site will preserve the residential character of the area, while also offering an assortment of commercial retail uses within the immediate area.

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

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Property Use</b>
North	LDR	PUD 1997-0886/RR-Acre	Single-Family Dwellings/Vacant
South	PBF	PBF-3	Herlong Recreational Airport
East	LDR/CGC	PUD 2001-0615/CCG-2	Single-Family Dwellings/Z-2187
West	LDR/RPI	PUD 2013-0771	Single-Family Dwellings

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

The proposed development is consistent with the MDR and CGC functional land use categories.

**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. Additionally, in a memo provided by JEA dated January 17, 2019, the proposed project design shall meet the JEA Design Standards in effect at the time of construction plan submittal in order to accommodate 59,850 gpd.

**School Capacity:**

Based on the Development Standards for impact assessment, the 90.45 acre proposed PUD rezoning has a development potential of 168 single-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 2019-0007**

**Development Potential: 168 Single-Family Units**

School Type	CSA	2018-19 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats
Elementary	8	5,529	83%	28	87%	642
Middle	7	1,203	77%	12	92%	102
High	8	2,795	92%	16	75%	611
<b>Total New Students</b>				<b>56</b>		

*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
Crystal Springs ES #226	8	25	1,225	1,040	85%	87%
Jefferson Davis MS #216	7	11	1,438	974	68%	69%
Ed White HS #248	8	14	2,071	1,457	70%	73%

- Does not include ESE & room exclusions
- Analysis based on a **maximum 168 dwelling units** – PUD 2019-0007

**The amount and size of open spaces, plazas, common areas and recreation areas:** The site plan and written description indicates that 1.78 acres of land will be provided for an active and recreational park. According to the site plan, the park will be situated along the western property line. The applicant has also stated that recreation/amenities may include open space, pedestrian paths, a recreation center, pool, or cabana/club house.

**The existence and treatment of any environment hazards to the proposed PUD property or surrounding lands:** The site is located within the 50-foot Height and Hazard Zone for the Herlong Recreational Airport. Zoning will limit development to a maximum height of less than 50 feet, 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).

**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 Normandy Boulevard. Moreover, in the attached memorandum from FDOT dated January 9, 2019, the applicant will need to coordinate with FDOT Access Management and Permits for the access point. The Traffic Engineer also reviewed the application and has issued comments. **Staff supports the Engineer’s findings and forwards to you the following:**

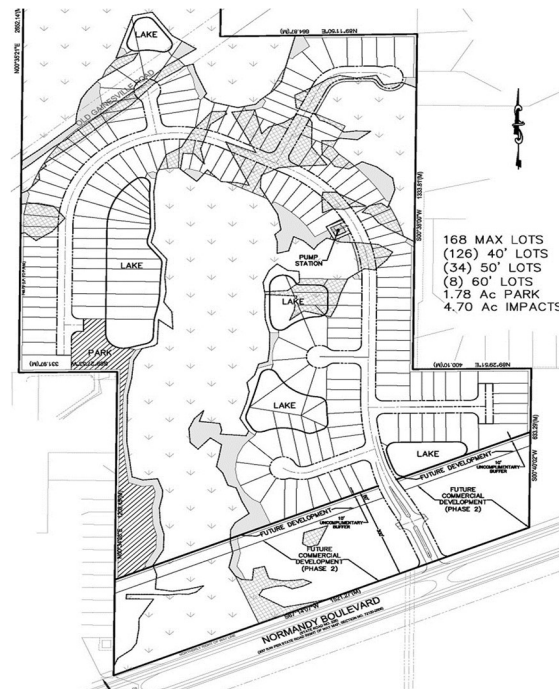
- Per Section 654.111 (k): Dead-end streets, designed to be so permanently, shall be prohibited except when designed as cul-de-sacs. If T Turnarounds are permitted, they shall meet the minimum dimensions given in the city standard details. The termination at the end of the entrance road currently does not meet any standards.
- All cross accesses to the future commercial parcels shall be a minimum of 250' from the edge of pavement of Normandy Blvd. There shall also be a left turn lane into the future parcel on the west side of the entrance road.

***(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 2.2.3 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 33 acres of wetlands are located and dispersed across the subject site from the north to the south. However, the conception site plan (illustrated below) shows approximately 4.7 acres of the development will be directly located within the wetlands.



**Map showing wetlands.**

Nonetheless, the written description states, “any development impacting impacting wetlands will permitted to local, state, and federal permitting requirements.” For more information regarding

wetlands, please see the attached memorandum from Community Planning Division.

***(9) Listed species regulations***

Access Ecological Associates, Inc. prepared the Listed Wildlife & Habitat Assessment Report. The subject property was investigated for the potential presence of any local, state, or federally listed wildlife species. The report found that no wildlife species (including gopher tortoises) were detected—which prompts Access Ecological Associates to conclude that development of the site will not result in any adverse effects to any wildlife species.

***(10) Off-street parking including loading and unloading areas.***

The residential site will developed in accordance with Part 6 of the Zoning Code.

The commercial site will be developed in accordance with a specialized set of parking standards as outlined in the Written Description, dated December 20, 2018. Moreover, the standards will vary depending on the type of use within the commercial parcel. The applicant has also requested shared parking and valet parking to satisfy parking requirements.

***(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 **January 17, 2019** by the Planning and Development Department, the Notice of Public Hearing sign were posted.



**RECOMMENDATION**

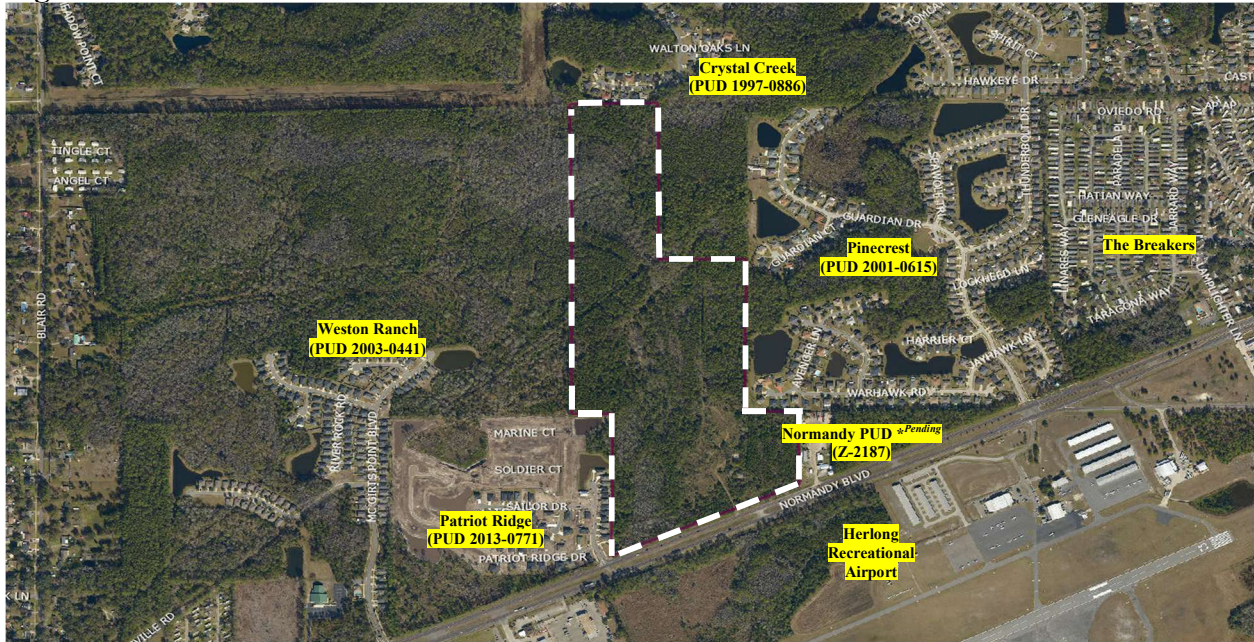
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2019-0007** be **APPROVED with the following exhibits:**

**The original legal description dated October 15, 2018**  
**The original written description dated December 20, 2018**  
**The original site plan dated December 18, 2018**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-0007** be **APPROVED WITH CONDITIONS.**

- 1. Dead-end streets, designed to be so permanently, shall be prohibited except when designed as cul-de-sacs.**
- 2. All cross accesses to the future commercial parcels shall be a minimum of 250' from the edge of pavement of Normandy Blvd. There shall also be a left turn lane into the future parcel on the west side of the entrance road.**
- 3. The subject property shall be developed in accordance with the Transportation Division Memorandum dated January 17, 2019.**
- 4. The maximum building height shall not exceed 50 feet.**
- 5. 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, 1/18/19

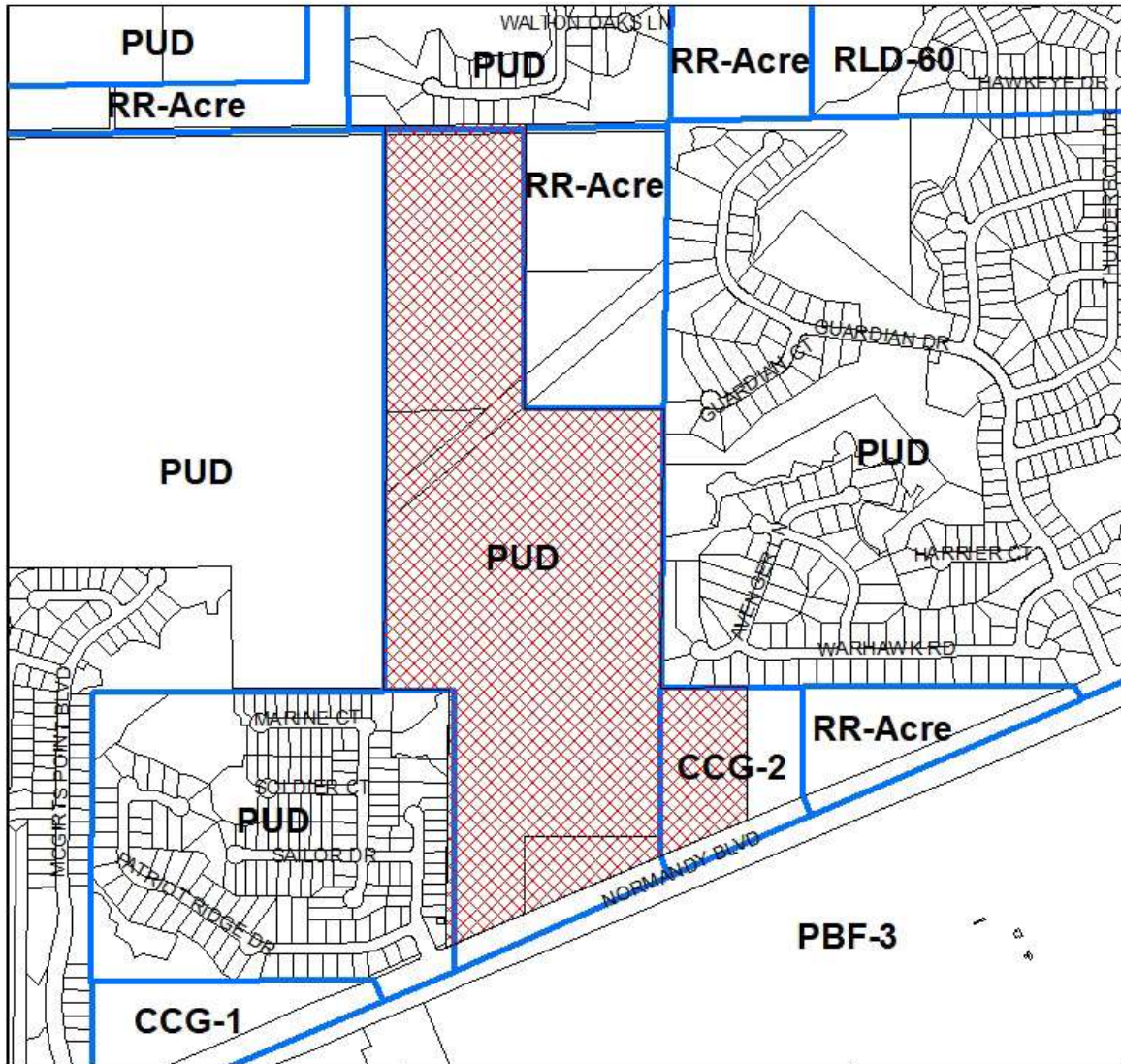
Aerial view of the subject site and parcel, facing north.

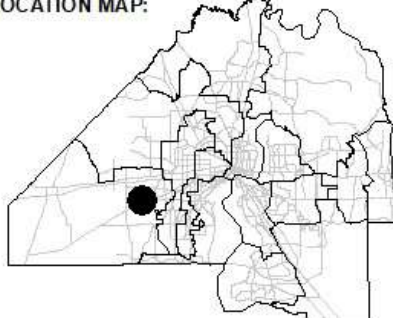
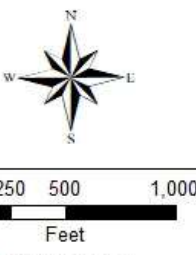
**Figure B:**



Source: Planning & Development Dept, 1/17/19

View of Normandy Boulevard and the subject site facing north.



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-2 &amp; PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>12</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2019-007</p>	<p>TRACKING NUMBER</p> <p>T-2018-2025</p>	<p>PAGE 1 OF 1</p>