

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0194 TO
PLANNED UNIT DEVELOPMENT

APRIL 18, 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 2019-0194 to Planned Unit Development.

Location: 4851, 4915, 4937, 0 Collins Road

Real Estate Number(s): 099143-0100; 099142-0000; 099148-0000;
099146-0000

Current Zoning District(s): Residential Medium Density-A (RMD-A)
Industrial Business Park (IBP)
Planned Unit Development (PUD 2006-281)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Medium Density Residential (MDR)
Light Industrial (LI)
Residential Professional Institutional (RPI)

Proposed Land Use Category: Residential Professional Institutional (RPI)

Planning District: Southwest, District 4

Applicant/Agent: Steve Diebenow, Esq.
1 Independent Dr, Suite 1200
Jacksonville, Florida 32202

Owner: John Nemeskery
591 Hurley Street
Orange Park, Florida 32073

Diane Adams
6105 Collins Road
Jacksonville, Florida 32244

Margaret L Ward
822 Southwest Valley Way
Lake City, Florida 32025

Kwok C Huang
The Hung Family Trust
495 Ponte Vedra Boulevard
Ponte Vedra Beach, Florida 32082

Bruce Orr
4852 Collins Road LLC
945 Ponte Vedra Boulevard
Ponte Vedra Beach, Florida 32082

Staff Recommendation:

APPROVE WITH CONDITIONS

GENERAL INFORMATION

Application for Planned Unit Development 2019-0194 seeks to rezone approximately 16.95 acres of land from Residential Medium Density-A (RMD-A), Industrial Business Park (IBP), Planned Unit Development (PUD 2006-281) to Planned Unit Development (PUD). The rezoning to PUD is being sought would allow for multi-family, like the previous PUD but include three new parcels and increase the maximum density to 20units/acre.

The current PUD, 2006-281-E, allows for one-hundred ninety-two (192) townhomes or condominium units. A Minor Modification (MM-07-09) was also approved to include apartments as an allowed use and increase the maximum height of structures to thirty-nine (39) feet. Another Minor Modification in 2008 was filed to increase the density from 192 to 240 units with eight (8) buildings.

PUD Ord. 2006-281-E was approved with the following conditions:

- (a) The location of the trash compactor is subject to the review and approval of the Planning and Development Department at the time of verification of substantial compliance of the PUD.

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

The site plan provided (EXHIBIT E) shows the trash enclosures located all over the complex located anywhere from 15 feet to over 50 feet from the closest residential property line. Staff believes these locations are sufficiently places away from new and existing residents; therefore, the condition from the previous PUD can be eliminated from the new PUD.

There is a companion Land Use Amendment, 2019-0193 (L-5363-19C). The proposed LUA is for the three new parcels being added to the existing PUD.

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.

(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 Medium Density Residential (MDR), Light Industrial (LI), and 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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5363-19C (Ordinance 2019-193) that seeks to amend the portion of the site that is within the Medium Density Residential (MDR) and Light Industrial (LI) land use category to Residential Professional Institutional (RPI). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series L-5363-19C be approved. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

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

Yes. This proposed rezoning to Planned Unit Development is in/consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element:

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.

Multi-family development is considered a transitional use from single family development to commercial or light industrial uses. To the south and west of the subject properties there is a mix of single-family and multi-family uses; house, duplexes, and mobile home park. The north and east properties are zoned to allow for Industrial Business Park and Light Industrial uses.

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.

The PUD demonstrated innovative site planning. The developer has decided to make the required Stormwater retention into an amenity for the residents by placing the 2.31-acre pond in the middle of the complex and surrounding it with eight of the thirteen proposed buildings. Four of the buildings are arranged in a way that creates a courtyard effect in the middle. The remaining two buildings at the front of the complex have a similar effect, but instead of open space, there is a pool and view of the clubhouse.

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.

The site will be serviced by JEA water and sewer system. There will be a lift station on site as required by JEA.

(C) 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, 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): Medium Density Residential (MDR), Light Industrial (LI), and Residential Professional Institutional (RPI). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series L-5363-19C (Ordinance 2019-0193) that seeks to amend the portion of land that is within the Medium Density Residential (MDR) and Light Industrial (LI) land use category to Residential Professional Institutional (RPI). The Planning and Development Department finds

that the proposed PUD is in/consistent with the 2030 Comprehensive Plan, as 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, Development Agreement #71325.0: Collins Apartments is reserving 209 residential units.

In order to proceed, the agent/applicant/owner would need to submit a companion CCAS/CRC application in order to move forward with this project.

If the developer wishes to add additional residential units to the proposed development, they will need to apply for an additional CCAS/CRC application and Mobility application for anything above and beyond the 209 residential units reserved under Development Agreement # 71325.0.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for multi-family units. 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. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The site is required to provide Stormwater retention for the new development on site. The developer has decided to make that requirement into an amenity for the residents by placing the 2.31-acre pond in the middle of the complex and surrounding it with eight of the thirteen proposed buildings. Between buildings, there is open space. There is also a clubhouse with pool at the front of the complex to be utilized as common area for residents.
- The use of existing and proposed landscaping: Landscaping will be in compliance with Part 12 of the Zoning Code.

- The treatment of pedestrian ways: Sidewalks shall be provided throughout the Project to provide for internal pedestrian circulation and externally as required by the 2030 Comprehensive Plan.
- The use and variety of building groupings: The developer has decided to make that requirement into an amenity for the residents by placing the 2.31-acre pond in the middle of the complex and surrounding it with eight of the thirteen proposed buildings. Four of the buildings are arranged in a way that creates a courtyard effect in the middle. The remaining two buildings at the front of the complex have a similar effect, but instead of open space, there is a pool and view of the clubhouse.
- 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: There is a 10 foot landscape buffer surrounding the whole project. In addition to that, the multi-family buildings are approximately 70 feet away from the closest property line, providing sufficient buffering from surrounding properties. An eighty-five percent (85%) opaque, eight (8) foot fence will also be installed and maintained along the perimeter of the development.

(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: There is a 10 foot landscape buffer surrounding the whole project. In addition to that, the multi-family buildings are approximately 70 feet away from the closest property line, providing sufficient buffering from surrounding properties. An eighty-five percent (85%) opaque, eight (8) foot fence will also be installed and maintained along the perimeter of the development.
- 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	RPI LI	IBP IL	Silviculture Silviculture
South	MDR LI	RMD-C PUD 1988-1423	Duplex Subdivision Business Park with Warehousing
East	LI	IBP	Single Family Dwelling/Silviculture
West	MDR	RMD-MH	Mobile Home Park

(6) Intensity of Development

The proposed development is consistent with the RPI functional land use category which allows multi-family development to a maximum density of 20 units/acre. The PUD is appropriate at this location because multi-family development is considered a transitional use from single family development to commercial or light industrial uses. To the south and west of the subject properties there is a mix of single-family and multi-family uses; house, duplexes, and mobile home park. The north and east properties are zoned to allow for Industrial Business Park and Light Industrial uses.

- The location of various proposed uses within the proposed PUD and the degree of compatibility of such uses with each other and with surrounding uses: The developer has decided to make that requirement into an amenity for the residents by placing the 2.31-acre pond in the middle of the complex and surrounding it with eight of the thirteen proposed buildings. Four of the buildings are arranged in a way that creates a courtyard effect in the middle. The remaining two buildings at the front of the complex have a similar effect, but instead of open space, there is a pool and view of the clubhouse. There is a 10 foot landscape buffer surrounding the whole project. In addition to that, the multi-family buildings are approximately 70 feet away from the closest property line, providing sufficient buffering from surrounding properties. An eighty-five percent (85%) opaque, eight (8) foot fence will also be installed and maintained along the perimeter of the development.
- The existing residential density and intensity of use of surrounding lands: Surrounding properties that are residentially zoned are RMD-A, RMD-C, and RMD-MH which are less intense than the proposed use. however, the proposed use would used as a transitional area between those properties and the Industrial Business Park and Light Industrial uses allowed on the properties to the east.
- The availability and location of utility services and public facilities and services:

School Capacity

Based on the Development Standards for impact assessment, the 21.95 acre proposed land use map amendment has a development potential of 216 multi-family dwelling 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 2019-194

Development Potential: 339 Residential Units

School Type	CSA	2018-19 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats
Elementary	2	6,397	78%	57	76%	1, 956
Middle	2	2,605	69%	25	82%	471
High	5	3,193	79%	32	88%	796
Total New Students				113		

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
Ortega ES #16	2	57	346	319	92%	95%
JEB Stuart MS #207	2	25	1,029	672	65%	65%
Lee HS #33	2	32	1,844	1,736	94%	95%

- **Does not include ESE & room exclusions**
- **Analysis based on maximum 339 dwelling units – 2019-0194**

JEA

As indicated on the site plan (EXHIBIT E) provided there will be a lift station on site. JEA has no objections to the proposed project and has commented that the project design to meet the JEA Design Standards in effect at the time of construction plan approval.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space and recreation area in accordance with the 2030 Comprehensive Plan. EXHIBIT F indicated there will be 1.38 acres (8%) of active recreation and/or open space and 6.38 acres (40%) of passive open space.

(8) Impact on 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: 4.54 Acres

General Location(s): The wetlands are located towards the middle of the property and stretch northwards

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: 66- Surrency Loamy Fine Sand, depressional, 0 to 2 percent slopes-consists of nearly level, very poorly drained soils. These soils formed in thick sandy and loamy marine sediments. The soils are moderately permeable and moderately slowly permeable. The high water table generally is at or near the surface and the areas are subject to frequent flooding for brief periods

Wetland Category: Category III

Consistency of Permitted Uses: Proposed multi-family is permitted dependent on receiving Environmental Resource Permit.

Environmental Resource Permit (ERP): Not provided by the applicant. Will be required for 10-set review.

Wetlands Impact: None at this time

Associated Impacts: Site plan indicates no wetlands on site. However, there are suspected impacts associated with development.

(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 with a minimum of 1.75 parking spaces per residential unit. There will be no maximum in parking spaces for the site. 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. Bicycle parking will be provided as required by Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on **April 9, 2019**, the required Notice of Public Hearing sign was posted.



Aerial

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2019-194** be **APPROVED with the following exhibits:**

The original legal description dated March 8, 2019

The original written description dated February 22, 2019

The original site plan dated January 14, 2019

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-194** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

- 1) The developer shall reserve property on the Collins Road frontage so that there will be a minimum of 60' of right of way width on Collins Road for future widening.
- 2) The developer shall provide a traffic study to determine the need for left and right turn lanes at the entrances. If warranted, the turn lanes shall be designed to FDOT standards for the posted speed limit. The queue length shall be determined by traffic study but shall be a minimum of 50' for the left turn lane. The entire limits of the transition and turn lanes shall be resurfaced.
- 3) 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.



Subject Property

*Source: COJ, Planning & Development Department
Date: April 9, 2019*



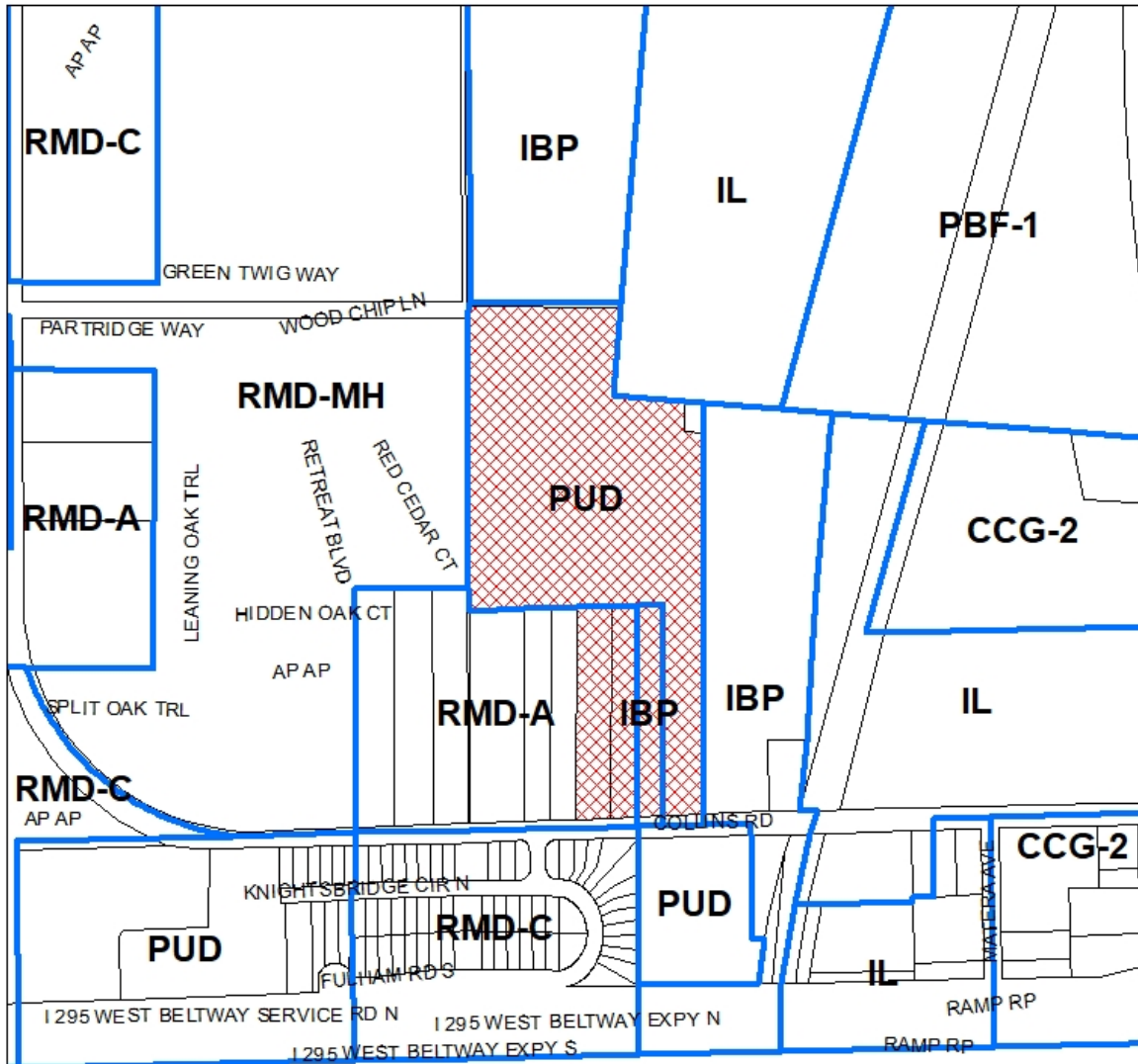
Property to the east: Single Family Dwelling (4837 Collins Rd)

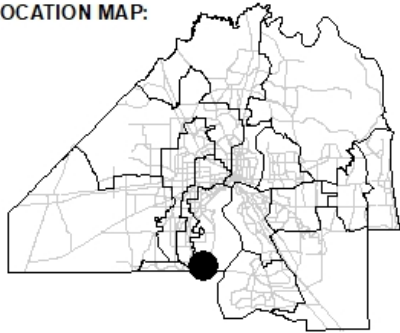
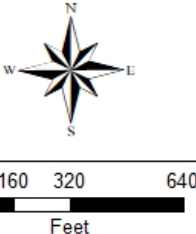
*Source: COJ, Planning & Development Department
Date: April 9, 2019*



Property to the west: Single Family Dwelling (4947 Collins Rd)

*Source: COJ, Planning & Development Department
Date: April 9, 2019*



<p>REQUEST SOUGHT:</p> <p>FROM: IBP, RMD-A, PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER</p> <p>T-2019-2203</p>	 <p>COUNCIL DISTRICT:</p> <p>14</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>
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