

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING 2019-0227 TO PLANNED UNIT DEVELOPMENT

MAY 9, 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 **2019-0227** to Planned Unit Development.

Location: 0 A C Skinner,
Between Belfort Road & Southside Boulevard

Real Estate Number(s): 154378 0000

Current Zoning District: Commercial Office (CO) &
Industrial Business Park (IBP)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC) &
Business Park (BP)

Proposed Land Use Category: Community General Commercial (CGC)

Planning District: Southeast, District 3

Applicant/Agent: Paul M. Harden, Esq.
Law Office of Paul M Harden
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner: Jacksonville Transportation Authority
Nathaniel P. Ford, Sr.
100 N. Myrtle Ave
Jacksonville, Florida 32203

Staff Recommendation: **APPROVE with CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2019-0227** seeks to rezone approximately 17.37 acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD). The rezoning to PUD is being sought so that the property can be developed with exclusively

multi-family use (apartments). A maximum of 370 dwelling units would be allowed for a density of 29 units per acre.

There is a companion Land Use Amendment, 2019-0026 (L-5309-18A). The proposed LUA is to change the entire parcel from Community General Commercial (CGC) to High Density Residential (HDR).

The current PUD, **2018-0515-E**, allows for a mixed-use development. Both parcels have remained undeveloped. Nonetheless, **2018-0515-E** was enacted on September 25, 2018 with the following **conditions**:

- (1) The developer shall comply with comments from Traffic Engineering received on August 21, 2018 regarding traffic flow and access: (a) Provide a traffic study to determine the need for signalization and a right turn lane at the entrance, the length of the deceleration lane shall be based on the design speed of AC Skinner Parkway in accordance with FDOT design standards. The queue length, if needed, shall be determined by the traffic study; (b) there are currently no median openings in this part of AC Skinner Parkway. A left turn lane shall be required at the proposed median opening. The length of the left turn lane shall be based on the design speed of AC Skinner Parkway in accordance with FDOT design standards. The queue length shall be a minimum of 100 feet, or longer, if determined by the traffic study; (c) The existing median trees shall be removed where needed for driver visibility. The developer shall comply with appropriate landscape regulations for tree mitigation; and (d) If the site is to be gated, the developer shall provide a queuing study and ensure that at no time shall queuing vehicles extend into the City right of way.
- (2) The developer shall comply with the memo from the Transportation Planning Division regarding Part 6 requirements for bicycle parking.
- (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.

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

Staff has reviewed the conditions previously accepted by the applicant regarding this project location, and recommend to move forward with the conditions from the previously enacted application.

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 if Ord. 2019-0026 is approved, the subject property's Land Use category will be entirely located in the High Density Residential (HDR) 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. According to the category description of the Future Land Use Element (FLUE), High Density Residential (HDR) land use category is intended to provide compact medium to high density mixed use development. Medium to high density residential development which includes limited commercial uses which serve the residential component of HDR developments as well as adjacent neighborhoods is preferred to reduce the number of Vehicle Miles Traveled. Multi-family housing is a principal use in the HDR land use category. Within the Urban Area, the minimum density in the HDR land use category is 20 unit/acre and the maximum density is 60 units/ acre. The PUD proposes up to 370 dwelling units, which is within the maximum allowable density. In order to achieve the minimum density, at least 348 units must be developed.

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

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

(3) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers the intent of the regulations 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): High Density Residential (HDR).

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:

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 proposed PUD site plan design provides an innovative site plan that will be in compliance with the High Density Residential (HDR). The proposed is consistent with Policy 1.1.12.

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 proposed project will be served by centralized wastewater and potable water distribution per the provided JEA Letter dated March 20, 2017. The proposed project is consistent with Policy 1.2.9

Policy 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 project will be built along a long stretch of A.C. Skinner Parkway which is currently vacant and underutilized. The proposed project will be consistent with policy 6.3.

To ensure compliance with the provisions of the Comprehensive Plan, zoning staff should analyze the proposed zoning application in relation to the following goals, objectives, policies and/or text of the 2030 Comprehensive Plan. This analysis should be included within the staff report for the zoning application.

Airport Environment Zone

The site is located within the 500 foot Height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of less than 500', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Future Land Use Element

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Flood Zones

Approximately 3.0 acres of the subject site is located within either the 0.2 PCT Annual Chance Flood Hazard or AE flood zones (Attachment E). Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm of Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The 0.2 PCT Annual Chance Flood Hazard flood zone is defined as areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards. The AE flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Conservation /Coastal Management Element (CCME)

Policy 1.4.4 The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

A. Land acquisition or conservation easement acquisition;

- B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
- C. Incentives, including tax benefits and transfer of development rights.

(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. On April 11th, 2019 the CMMSO provided the following comments;

Mobility # 99680.0 / CRC # 96680.1 / City Development # 9737.000: JTA Apartments was approved by the Concurrency & Mobility Management System Office on 2/12/19.

These applications reserve 370 multi-family residential units.

The Mobility Fee amount of \$344,959 must be paid prior to having any building permits signed off by the Concurrency & Mobility Management System Office (CMMSO).

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a 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 existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The site shall comply with the requirements of the Zoning Code for recreation and open space. The site plan provided (EXHIBIT E) shows a park/dog park on the west side of the property as well as an amenity center / active recreation area on the eastern side of the project.

The use of existing and proposed landscaping: The property shall be developed in accordance with the requirements of Part 12 Landscaping Regulations of the Zoning Code.

The treatment of pedestrian ways: Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

The use and variety of building groupings: The site plan shows a mix of carriage houses,

placed along A C Skinner Parkway and apartment buildings internal to the site.

(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 on a large undeveloped piece of property along A C Skinner Parkway. Properties along A C Skinner are developed as business parks and multi-family dwellings. The proposed multi-family development at this location complements the existing hospital, various office and commercial uses by increasing the housing options for those that are employed in the immediate area.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Property Use
North	CGC	CO	Wetlands/Retention
East	BP	IBP	Wetlands
South	BP	IBP	Wetlands
West	CGC	CO	Wetlands

(6) Intensity of Development

The proposed development is consistent with the HDR functional land use category and is a multi-family development with a density of 29 units per acre. The PUD is appropriate at this location because it will support the existing hospital, various office and commercial uses by increasing the housing options for those that are employed in the immediate area. The density is similar to other apartment complexes along A C Skinner Parkway to the east.

The existing residential density and intensity of use of surrounding lands: Multi-family developments to the east of the subject property are constructed to a similar density to the proposed units for the PUD.

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

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
Ordinance 2019-0227

Development Potential: 370 Residential Units

School Type	CSA	2018-19 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats
Elementary	4	5,759	85%	62	100%	65
Middle	4	4,199	86%	27	85%	238
High	4	729	57%	34	86%	5
Total New Students				123		

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.

The site is served by the following schools:

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECTION
Beauclerc ES #230	4	62	1,041	765	73%	85%
Southside MS #211	4	27	977	868	89%	95%
Englewood HS #90	4	34	1,864	1,851	99%	100%

- Does not include ESE & room exclusions
- Analysis based on 370 dwelling units – 2019-0227

(7) Usable open spaces plazas, recreation areas

The site shall comply with the requirements of the Zoning Code for recreation and open space.

(8) Impact on wetlands

Wetlands will be permitted according to local, state, and federal 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, except the ratio

shall be 1.50 parking spaces per unit. The subject property will also comply with all bicycle rack requirements.

(11) Sidewalks, trails, and bikeways

Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on April 23, 2019, the required Notice of Public Hearing sign **was** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2010-0227** be **APPROVED with the following conditions:**

1. The subject property is legally described in the original legal description dated March 15, 2019.
2. The subject property shall be developed in accordance with the original written description dated March 18, 2019.
3. The subject property shall be developed in accordance with the original site plan dated February 21, 2019.
4. The development is subject to the comments from Traffic Engineering received on

August 21, 2018 regarding traffic flow and access:

- a. Provide a traffic study to determine the need for signalization and a right turn lane at the entrance, the length of the deceleration lane shall be based on the design speed of AC Skinner Parkway in accordance with FDOT design standards. The queue length if needed will be determined by the traffic study.
 - b. There is currently no median openings in this part of AC Skinner Parkway. A left turn lane will be required at the proposed median opening. The length of the left turn lane will be based on the design speed of AC Skinner Parkway in accordance with FDOT design standards. The queue length shall be a minimum of 100 feet or longer if determined by the traffic study.
 - c. The existing median trees shall be removed where need for driver visibility. The developer will comply with appropriate landscape regulations for tree mitigation.
 - d. If the site is to be gated, the developer will provide a queuing study and ensure that at no time will queuing vehicles extend into the City right of way.
5. The development is subject to the memo dated May 1st, 2019 that was submitted by the Transportation Planning Division regarding the Part 6 requirements for bicycle parking and the traffic study requested by the Traffic Engineer.
 6. Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.



Subject Property

Source: COJ, Planning & Development Department

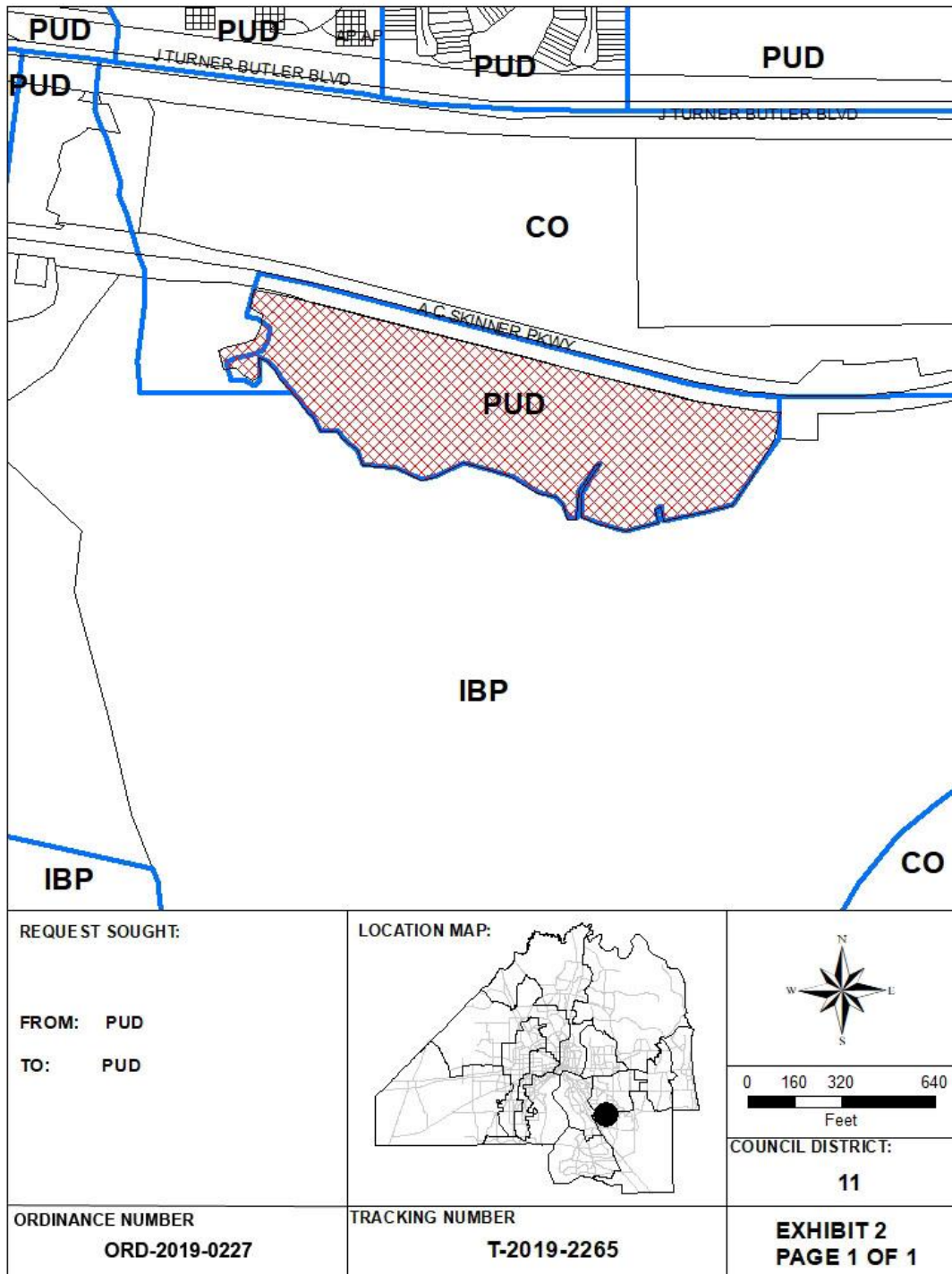
Date: April 23, 2019



View of the neighboring retention pond across A.C. Skinner Parkway

Source: COJ, Planning & Development Department

Date: April 23, 2019



Legal Map