

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-0372 TO**  
**PLANNED UNIT DEVELOPMENT**

**JUNE 20, 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 **2019-0372** to Planned Unit Development.

***Location:*** 0 Hyatt Road and 0 Max Leggett Parkway  
Between Integra Drive and Hyatt Road

***Real Estate Numbers:*** 106276-0155 and Portion of 106277-0170

***Current Zoning Districts:*** Planned Unit Development (PUD 2015-0562-E)

***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:*** Stephen M. Leggett  
Duval/Owens Signature, LLP /  
Second Time Signature, LLP  
P.O. Box 939  
Yulee, FL 32041

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

**GENERAL INFORMATION**

Application for Planned Unit Development **2019-0372** seeks to rezone approximately 74.48± acres of land from PUD to PUD. The rezoning to a new PUD is being sought in order to allow for additional uses and consolidate all previous amendments and modifications (**2015-0562 and MM-18-01**) into one ordinance. The PUD proposes a mix of uses including 440 residential units (including senior living), commercial, medical, and warehouse/flex space.

The subject property is also located within the boundaries of the Jacksonville International Airport Community Redevelopment Area (JIA CRA), and was thereby forwarded to the Office of Economic Development for review. As of Thursday, June 13, 2019, no comments have been received from the group.

The subject property is currently zoned under PUD **Ordinance 2015-0562-E**, which spans an overall 155.79± acres of land and allows for general commercial and residential uses. Moreover, 2015-0562-E was enacted on September 21, 2015 with no conditions:

### **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) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan.

The CGC land use category is intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Development should occur in a nodal development pattern. The PUD proposes a mix of uses including residential, senior living, commercial, medical, and warehouse/flex space. Residential developments are considered a principal use within this category however, residential uses may not exceed 80% of the development. Various commercial and office uses including, medical offices, restaurants, hotels and motels, and financial institutions are considered principal uses within the CGC land use category.

Staff should note that **some uses permitted by the written description of the proposed PUD are only permitted as accessory uses within the CGC land use category such as warehousing, light manufacturing and fabricating. Such uses may be permitted provided that is it part of a commercial retail sales or service establishment and the accessory use shall be located on a road classified as collector or higher on Functional Highway Classification Map. These uses should be specified as such within the PUD written description to maintain consistency with the CGC land use category.**

**Residential uses are also included within the proposed PUD. Residential uses are permitted within the CGC land use category, however they are limited to no more than 80 percent of a development. In the Suburban Development Area the maximum density is 20 units/acre. These limitations should also be specified within the written description of the proposed PUD to ensure consistency with the CGC land use category.**

Nonetheless, 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 1.1.2**

As depicted on the FLUM series, Development Areas have been established to determine appropriate locations for land uses and densities and consist of five tiers of development intensities ranging from high density infill development in the historic core to very low density in the outlying rural areas. These include: the Central Business District (CBD); the Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA). These Development Areas determine differing development characteristics and a gradation of densities for each land use plan category as provided in the Operative Provisions of this element.

Located in the Suburban Area, Staff finds the proposed development consistent with the type of density and intensity typically found in SA development.

**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 rezoning at the subject site would directly address the projected growth along Max Leggett Parkway Street by providing for a greater variety of housing options and general assortment of commercial uses for local citizens.

**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, 2019-1490, the proposed Suburban Area development must connect to City water and sewer.

**Objective 3.2**

Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

The proposed rezoning at the subject site would directly address the projected growth along Max Leggett Parkway by providing for a greater variety of housing options for the City's aging populations while also offering a general assortment of commercial uses.

**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 parcels along Max Leggett Parkway. The PUD will also allow for a greater variety of residential options—which directly addresses the housing needs of City residents.

***(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 category as identified in the Future Land Use Map series (FLUMs): Community/General

Commercial (CGC). 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. Therefore, the applicant/agent/owner will need to apply for Concurrency/Mobility for this proposed project prior to permitting/plan submittal with the City of Jacksonville. Once the Mobility fee is assessed, they will need to enter into a Mobility Fee Contract in order to monitor development as it occurs in phases.

***(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. An evaluation of the internal compatibility of a proposed Planned Unit Development is based on the following factors:

**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 4.5± acres of land will be provided for active recreational space. According to the written description, the recreational uses may include: parks, trails, exercise courses and additional amenities. The applicant has also requested that any recreation located within the subject property may count towards compliance.

**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 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 contain a pedestrian system that emphasizes interconnectivity between the subject parcels.

**Traffic and pedestrian circulation patterns:** As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Max Leggett Parkway and Hyatt Road.

However, due to the unknown size and scope of this development, the Transportation Planning Division will require a traffic study that analyzes impacts to adjacent roadways and a methodology meeting prior to commencement of said study.

**Compatible relationship between land uses in a mixed-use project:** Developing the site for multi-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 North 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 Integra Drive and Hyatt Road where multi-family development is located along the subject property's western property line and single-family dwellings are situated on the eastern periphery. Although being developed for mixed use, the subject site will preserve the residential uses adopted under Ordinance 2015-0562, while also offering an assortment of general commercial 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	LI	IL	Warehouse/Distribution Facility
South	LI	IL	Undeveloped Land
East	LI/LDR	IL/RLD-60/IBP	Single-Family Dwellings/Warehouse
West	CGC	PUD 2015-0562	Multi-Family Dwellings/Wetlands

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

The proposed development is consistent with the CGC functional land use category. The PUD is appropriate at this location due its location and frontage along Max Leggett Parkway and current entitlements.

**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—with existing water and sewer mains located at the east end of Heron Bay Road. Additionally, in a memo provided by JEA dated June 6, 2019, the proposed project design shall meet the JEA Design Standards in effect at the time of construction plan submittal in order to accommodate approximately 110,000 gpd.

**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 (2018/19)	% OCCUPIED	4 YEAR PROJECTION
Oceanway ES #270	7	73	680	646	95%	98%
Oceanway MS #62	1	32	1,009	949	95%	101%
First Coast HS #265	7	41	2,212	2,098	95%	101%

- Does not include ESE & room exclusions
- Analysis based on a **maximum 440 dwelling units** – PUD 2019-0372

**The amount and size of open spaces, plazas, common areas and recreation areas:** The site plan and written description indicates that 4.5± acres of land will be provided for active recreational space. According to the written description, the recreational uses may include: parks, trails, exercise courses and other additional amenities. The applicant has also requested that any recreation located within the subject property may count towards compliance.

**The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:** The subject property will have an access points via Max Leggett Parkway, collector roadway and via Hyatt Road. Moreover, in the attached memorandums from the Transportation Planning Division, dated June 5, 2019, the applicant will need to adhere to several conditions prior to development. The Traffic Engineer has also reviewed the application and has issued no objections to the development comments. **Staff supports the Division's findings and forwards to you the following:**

- A traffic study must be provided to the City of Jacksonville Planning and Development Department prior to the final 10-set review. The traffic study, which will also analyze impacts to adjacent roadways, will be conducted by a professional traffic engineer, and a methodology meeting shall be held with the Transportation Planning Division and the City Traffic Engineer prior to the commencement of the study.

***(7) Usable open spaces plazas, recreation areas.***

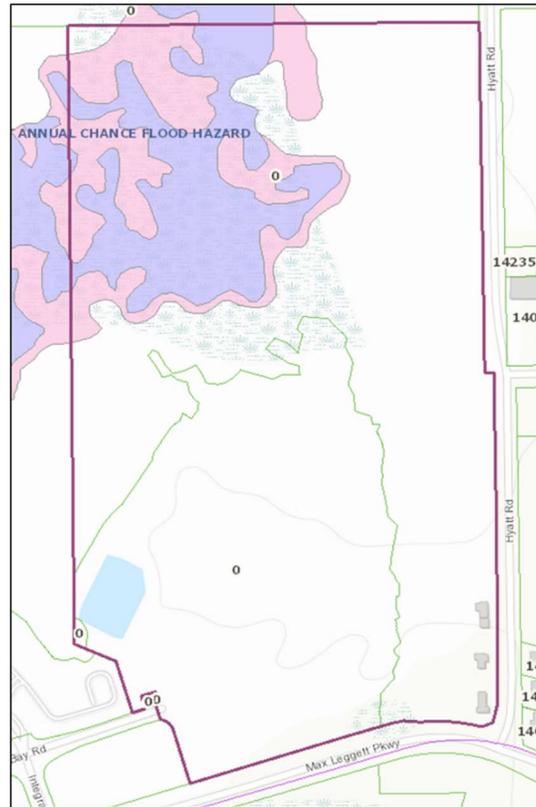
The project will be developed with the required amount of open space in accordance with Section 656.420 of the Zoning Code and ROSE Policy 2.2.5 as applicable of the Recreation and Open Space Element of the 2030 Comprehensive Plan.

***(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 identified the presence of flood zones (AH and 20% Annual Chance) and Category II wetlands on site. A brief review of both impacts are noted below.

**Flood Zones:**

Approximately 16.5 acres of the subject site is located within either the 0.2 PCT Annual Chance Flood Hazard or AH flood zones. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). The 0.2 PCT Annual Chance Flood Hazard flood zone is defined as an area 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 AH flood zone is defined as an area of 100-year shallow flooding with a constant water-surface elevation (usually areas of ponding) where average depths are between 1 and 3 feet. Flood insurance is mandatory within these zones. In result, any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.



**Flood Zone Map**

For more information regarding flood zones, please see the attached memo from Community Planning Division.

**Wetlands:**

Approximately 32.14 acres of the subject site is located within Category III wetlands. The wetlands are located along the northwest property line, with additional isolated pockets on the western, and southeastern portions of the property. The written description has indicated that the majority of the wetlands on the site will be placed into a conservation parcel. Any development within the wetlands must meet the performance standards in Conservation/Coastal Management Element (CCME) Policy 4.1.3.



**Wetlands Map**

For more information regarding wetlands, please see the attached memo from Community Planning Division.

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

Environmental Sciences, Inc., (ESI) prepared the Listed Wildlife & Habitat Assessment Report in June 2007. The subject property was investigated for the potential presence of any local, state, or federally listed wildlife species. The report found that no endangered, threatened or wildlife species of special concern were detected—which prompted Environmental Sciences, Inc. 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 commercial use will be generally developed in accordance with Part 6 of the Zoning Code. However, the applicant has requested a specialized set of parking standards for offices and clinics that allow for a maximum of five (5) spaces per 1,000 square feet of gross leasable area—rather than the maximum six (6) spaces per 1,000 square feet of gross floor area as outlined in Part 6 of the Zoning Code.

The residential uses will also be generally developed in accordance with Part 6 of the Zoning Code, while specialized parking standards have been proposed for apartments. The request is to allow for 0.125 spaces per bedroom rather than the standards outlined in 656.604(a)(2). Additional specialized standards have been requested for bicycle parking where bike parking will not be required for townhomes or condominiums; for senior living uses, bike parking will be provided at one (1) space per 30,000 square feet of gross floor area rather than 0.5 spaces per bedroom set forth in Part 6 of the Zoning Code.

Nonetheless, the reductions in vehicle and bicycle parking are found to be sufficient for the proposed development.

***(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 **June 11, 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 2019-0372 be **APPROVED with the following exhibits:**

**The original legal description dated April 22, 2019**  
**The original written description dated March 20, 2019**  
**The original site plan dated April 8, 2016**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2019-0372 be **APPROVED WITH CONDITIONS.**

1. **Warehousing, light manufacturing and fabricating uses are only permitted as accessory uses within the CGC land use category. Such uses may be permitted provided that is it part of a commercial retail sales or service establishment and the accessory use shall be located on a road classified as collector or higher on Functional Highway Classification Map.**
2. **Residential uses are permitted within the CGC land use category, however they are limited to no more than 80 percent of a development.**
3. **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.**
4. **A traffic study must be provided to the City of Jacksonville Planning and Development Department prior to the final 10-set review. The traffic study shall be conducted by a professional traffic engineer, and a methodology meeting shall be held with the Transportation Planning Division and the City Traffic Engineer prior to the commencement of the study.**
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, 4/22/19

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

**Figure B:**



Source: Planning & Development Dept, 6/11/19

**View of Max Leggett Pkwy and the subject property, facing north.**

**Figure C:**



**Source: Planning & Development Dept, 6/11/19**

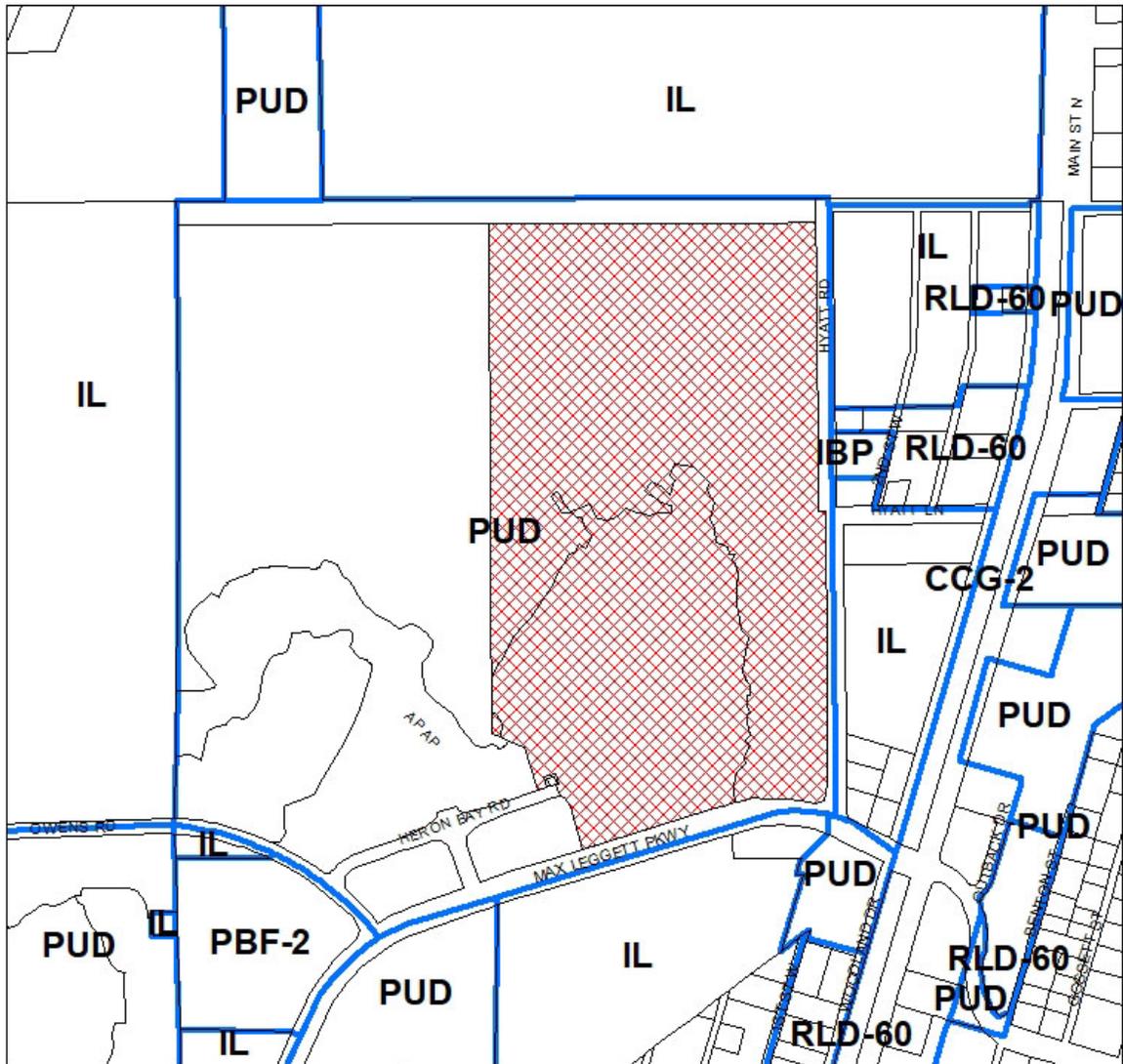
**View of Hyatt Road and the subject property located on the west, facing north.**

**Figure D:**



**Source: Planning & Development Dept, 6/11/19**

**View of Max Leggett Pkwy and the neighboring multi-family dwellings, facing west.**



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>	
<p>ORDINANCE NUMBER</p> <p>ORD-2019-0372</p>	<p>TRACKING NUMBER</p> <p>T-2019-2279</p>	<p>COUNCIL DISTRICT:</p> <p>7</p> <p><b>EXHIBIT 2</b>  <b>PAGE 1 OF 1</b></p>