

Daniel Blanchard	Aye
Jordan Elsbury	Aye
David Hacker	Aye
Morgan Roberts	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2023-0259 TO
PLANNED UNIT DEVELOPMENT

MAY 18, 2023

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 **2023-0259** to Planned Unit Development.

Location: 0 Hyatt Road, 0 Woodland Drive

Real Estate Numbers: 107853 0000, 107856 0000

Current Zoning Districts: Planned Unit Development (PUD 2022-0540-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Medium Density Residential (MDR)

Proposed Land Use Category: Medium Density Residential (MDR) with Site Specific FLUE Policy 4.4.40

Planning District: North, District 6

Applicant/Agent: Paul Harden, Esq.
Law Office of Paul M. Harden
1431 Riverplace Blvd, Suite 901
Jacksonville, FL 32207

Owner: Richard Zahn
Advantis MCA Hyatt, LLC
4130 United Avenue
Jacksonville, FL 32257

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2023-0259** seeks to rezone approximately 14.35± acres of land from Planned Unit Development (**PUD 2022-0540-E**) to Planned Unit Development (PUD). The rezoning to PUD is being sought to allow for the development of 296 multi-family

units. The proposed PUD differs from the current PUD in that the current PUD limits the number of multi-family units to 287. This is due to density maximums under the MDR land use category.

There is a companion Land Use Amendment, **2023-0258 (L-5806-23C)**. The proposed LUA is for Medium Density Residential (MDR) to Medium Density Residential (MDR) with a Site Specific FLUE Policy 4.4.40.

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 2045 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Medium Density Residential (MDR) 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 2045 Comprehensive Plan. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series **2023-0258 (L-5806-23C)** that seeks to amend the site to Medium Density Residential (MDR) with a site specific FLUE policy. The uses in the proposed PUD are consistent with the proposed MDR land use category.

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and can serve as transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. Development within the category should be compact and connected and should support multi-modal transportation. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept and Transit Oriented Development (TOD) are permitted. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein. MDR in the Suburban Development Area permits residential densities at a minimum of 7 units per acre and up to 20 units per acre, when the site does not front along a road classified as collector or higher. Site Specific FLUE Policy 4.4.40 allows for residential development with a density of up to 296 dwelling units, which is an increase of less than one dwelling unit per acre than what is currently permitted on the site.

The proposed Planned Unit Development (PUD) would allow for the construction of 296 dwelling units which is consistent with the maximum allowable density of the proposed Site Specific FLUE Policy, below:

4.4.40

Pursuant to the authority granted by Sec. 163.3187(1)(b), Florida Statutes, Ordinance 2023-258 for a small scale amendment is approved subject to the following:

To implement Policy 1.1.24 of the 2045 Comprehensive Plan Future Land Use Element, the following shall apply to this small scale land use map amendment:

- Single use residential development shall not exceed 296 dwelling units.

The amendment provides an additional location for residential uses, providing sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses.

(B) Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?

Yes. The proposed rezoning to Planned Unit Development is consistent with the 2045 Comprehensive Plan and furthers the following goals, objectives and policies contained herein, including:

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

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

Airport Environment Zone

The site is located within the 150 foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of less than 150 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).

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.

Dunn and Main Corridor Study

The subject site is within the Dunn Avenue and Main Street Corridor Redevelopment Plan. The site is west of Main Street North and is currently a mix of vacant land and residential uses. Establishing new commercial and residential uses will eradicate the outdated and unappealing aesthetic along major streets and protect the corridors as emphasized within the plan. Introducing a multi-family residential use offers a sense of community and may establish great neighborhoods that enhance connections to the places along the corridor. This subject property is located in District 7 of the corridor study– Duval Station District, it is noted that there are substantial vacant parcels and older residences. The implementation of new development will create a revitalized character within the district. Therefore, the proposed Land Use Amendment is consistent with the goals of this plan.

(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 2045 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): Medium Density Residential (MDR).

There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series **L-5806-23C (Ordinance 2023-0258)** that seeks to amend the land to Medium Density Residential (MDR) with a Site Specific FLUE Policy 4.4.40. The Planning and Development Department finds that the proposed PUD is consistent with the 2045 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. 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.

This development is subject to mobility fee review and Pursuant to Policies 4.1.2 and 4.1.5 of the Transportation Element of the 2045 Comprehensive Plan.

(3) Allocation of residential land use

This proposed Planned Unit Development intends for the development of 296 multi-family dwelling units. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis For 2045 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors. An evaluation of the internal compatibility of a proposal Planned Unit Development shall be based on the following factors:

The treatment of pedestrian ways: Pedestrian access shall be provided by sidewalks installed in accordance with the 2045 Comprehensive Plan.

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 use of existing and proposed landscaping: The Property shall be developed in accordance with the requirements of Part 12 Landscape Regulations of the Zoning Code (however, landscape may be rearranged to meet development requirements) or as otherwise approved by the Planning and Development Department.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Hyatt Road. Comments from Traffic & Engineering include:

- A traffic study shall be provided at Civil Site Plan Review. Prior to the commencement of the traffic study, the traffic professional shall conduct a methodology meeting to determine the limits of the study. The methodology meeting shall include the Chief of the Traffic Engineering Division, the Chief of the Transportation Division and the traffic reviewer from Development Services. If the Traffic Engineering Division do not require a traffic study, provide documentation stating so and this comment will be removed.

The subject site is approximately 14.35 acres and is accessible from Hyatt Rd, a local facility. East of the subject site is Main St N (US 17) between SR 9A and Pecan Park Rd is currently operating at 66.3% of capacity. This segment currently has a maximum daily capacity of 17,700 vehicles per day (vpd) and average daily traffic of 11,740 vpd.

The applicant requests 296 dwelling units of multi-family (ITE Code 220), which could produce 1,995 daily trips.

(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 subject property is located west of Main Street North and north of Max Leggett Parkway, either considered collector or higher roadway. Hyatt Road is a mixture of developments with industrial warehousing to the north and single family dwellings to the south. To the west on Hyatt Road, Planned Unit Development Ord. #2021-0195 Max Leggett Parkway Phase II approved for 138 townhome 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	LI	IL	Warehousing
South	LDR	RLD-60	Single Family Dwellings
East	CGC	PUD: 2016-0526	Warehousing
West	CGC	PUD: 2021-0195	Townhouses

(6) Intensity of Development

The proposed development is consistent with the proposed MDR functional land use category with a site specific policy and will be developed with a maximum of 296 multi-family dwelling units. The PUD is appropriate at this location because it is consistent with the surrounding uses.

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 July 25, 2022, JEA has no objection to proposed PUD. Water, sewer and electric connections to be consistent with JEA design standards, processes, and procedures. Final project design to meet the JEA Design Standards in effect at the time of construction plan approval.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject property is located on the east side of Hyatt Road, approximately 0.33 miles north of Max Leggett Parkway. The segment mentioned in Table 2 has sufficient capacity to accommodate the trips generated from the development at the target Level of Service (LOS) standard, and FDOT does not anticipate any significant adverse impacts to Main Street.

Table 2

County	Road	Segment ID	Segment	FDOT LOS Standard	Maximum Service Volume	2025 Peak Hour Volume	2025 Peak LOS
Duval	Main St	469	I-295 to Pecan Park Rd	D	2,289	1,282	B

School Capacity:

Based on the Development Standards for impact assessment, the 14.35± acre proposed PUD rezoning has a development potential of 296 multi-family units. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

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

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

School Impact Analysis
PUD 2023-0259

Development Potential: 296 Residential Units

School Type	CSA	2021-22 Enrollment/CSA	Current Utilization (%)	New Student/Development	5-Year Utilization (%)	Available Seats CSA	Available Seats Adjacent CSA 2&7
Elementary	7	2,979	83%	37	70%	689	10,998
Middle	1	7,527	88%	15	86%	807	791
High	7	2,194	99%	21	73%	757	2,137
Total New Students				73			

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 (2021/22)	% OCCUPIED	4 YEAR PROJECTION
Oceanway ES #270	7	37	680	558	82%	102%

Oceanway MS #62	1	15	1,009	1038	103%	81%
First Coast HS #265	7	21	2,212	2,194	99%	101%

- Attendance school may not be in proposed development's Concurrency Service Area (CSA)
- Does not include ESE & room exclusions
- Analysis based on a **maximum** 296 dwelling units – 2023-0259
- The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

(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

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify wetlands on-site. However, any development impacting wetlands will be permitted pursuant to local, state and federal permitting 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 parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

Pedestrian access shall be provided by sidewalks installed in accordance with the 2045 Comprehensive Plan.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **May 10, 2023** by the Planning and Development Department, the Notice of Public Hearing signs **were** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0259** be **APPROVED** with the following exhibits:

1. The original legal description dated February 15, 2023.
2. The original written description dated February 15, 2023.
3. The original site plan dated January 17, 2023.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2023-0259** be **APPROVED**.



Source: Planning & Development Department

Aerial view of the subject property, facing north.



Source: Planning & Development Department, 05/10/2023

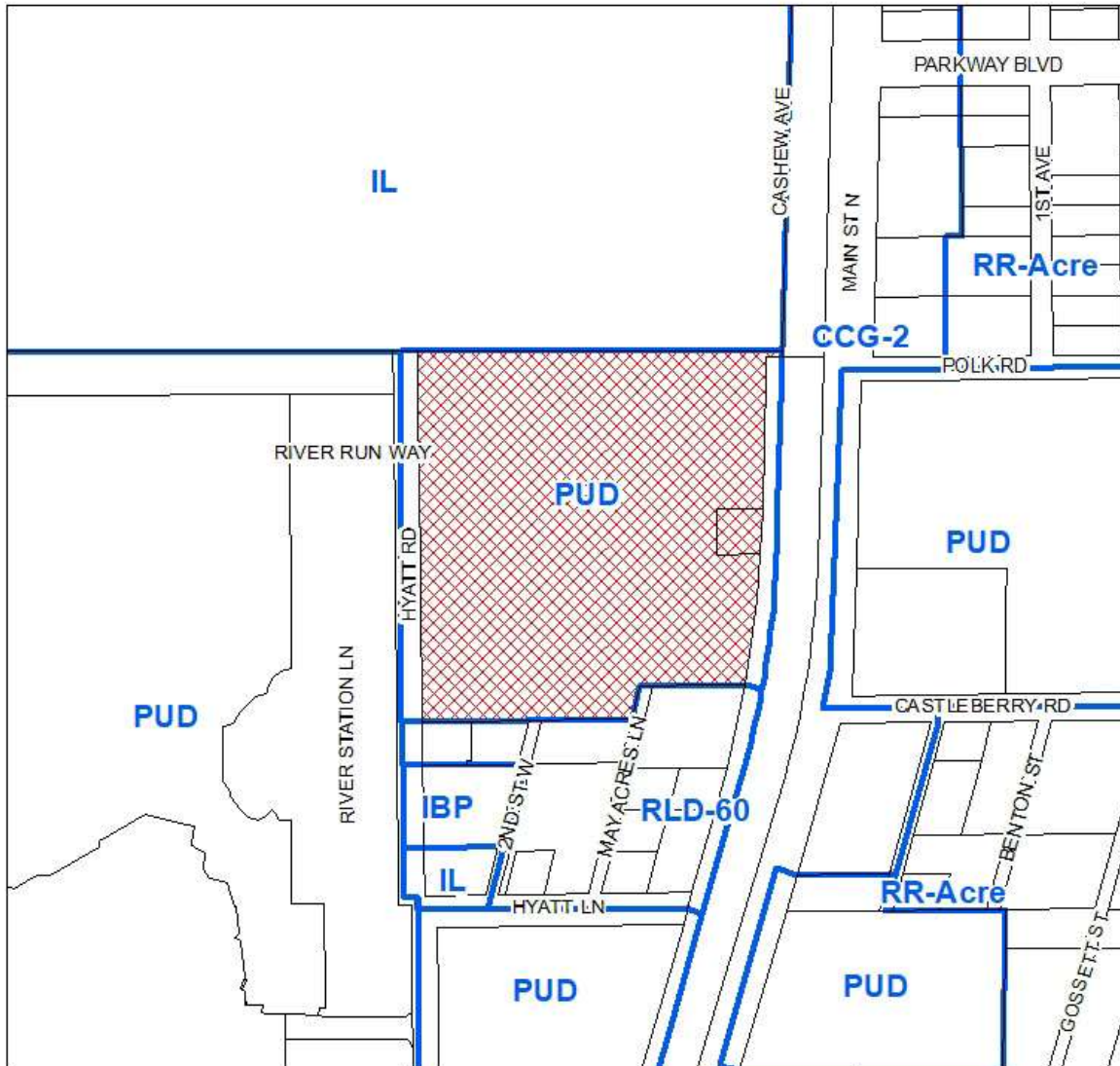
View of the subject property from Hyatt Road.



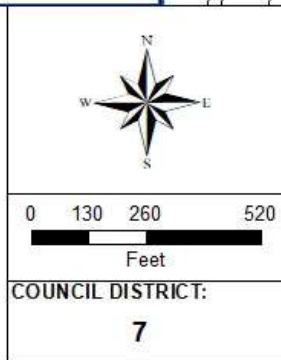
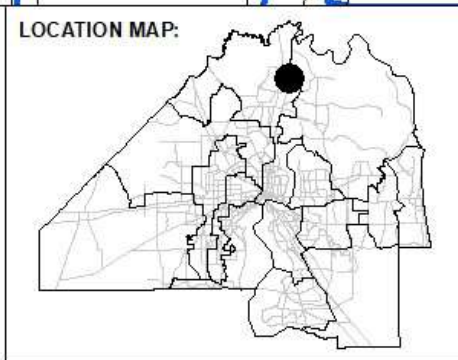
Source: Planning & Development Department, 05/10/2023
View of the neighboring property, south of the subject property.



Source: Planning & Development Department, 05/10/2023
View of the nearby multi-family development on Hyatt Road. 14041 Hyatt Road, approved under PUD 2022-0077-E.



REQUEST SOUGHT:
FROM: PUD
TO: PUD



ORDINANCE NUMBER
 ORD-2023-0259

TRACKING NUMBER
 T-2023-4787

EXHIBIT 2
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