

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-0549 TO**  
**PLANNED UNIT DEVELOPMENT**

**SEPTEMBER 5, 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 **2019-0549** to Planned Unit Development.

***Location:*** 2130 Mayport Road (SR 101)  
Between Mayport AP and Dutton Island Road West

***Real Estate Numbers:*** 169421-0010

***Current Zoning Districts:*** Residential Medium Density-A (RMD-A)  
Residential Medium Density-D (RMD-D)  
Commercial/ Community General-2 (CCG-2)

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

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

***Planning District:*** 2-Greater Arlington/Beaches

***Applicant/Agent:*** Steve Diebenow, Esq.  
One Independent Drive, Ste. 1200  
Jacksonville, FL 32202

***Owner:*** MV ACQUISITION LLC  
645 Mayport Rd Ste 5  
Atlantic Beach, FL 32233

***Staff Recommendation:*** **APPROVE W/ CONDITIONS**

**GENERAL INFORMATION**

Application for Planned Unit Development **2018-0549** seeks to rezone approximately 11.12± acres of land from Residential Medium Density-A (RMD-A), Residential Medium Density-D (RMD-D), Commercial/ Community General-2 (CCG-2) to Planned Unit Development (PUD). The rezoning to a PUD is being sought in order to permit additional multi-family housing units to the existing Mariner's Village multi-family residential development. The new addition will consist of

80 units and with the existing multi-family residential development will equal approximately 200 units total for the site.

In regards to how the proposed Planned Unit Development differs from a conventional zoning district the PUD adopts the current as-built condition of Phase 1 as depicted on the submitted site plan and establishes a 1.75 spaces/unit parking ratio for the entire project rather than a count based upon the number of bedrooms and guest spaces.

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

According to the Future Land Use Element (FLUE), MDR in the Suburban Development Area is intended to provide compact low to medium to medium density mixed use development. 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. The maximum gross density for the MDR category is twenty (20) units per acre when full urban services are available to the site. Based on the JEA availability letter submitted with the PUD and dated May 30, 2019, the subject site is not served with both centralized water and sewer services. Sanitary sewer and potable water is provided by the City of Atlantic Beach, Utility Services Department. JEA only provides electricity at this location.

Therefore, Staff finds the proposed rezoning to be consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Zoning Code.

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

**Comprehensive Plan?**

Yes. The 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 1.1.22**

Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

**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 site is located within the Suburban Area and is located within the coverage area of City of Atlantic Beach Utility Services Department. In order to be in compliance with Policy 1.2.9 the subject property must connect to City Water and City Sewer.*

**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 subject property is located along Mayport Road and if approved the current multi-family residential community Mariners Village will be permitted to construct 80 additional units. The proposed additional will protect and preserve the character of the surrounding neighborhood.*

**Objective 3.1**

Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

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

**Recreation and Open Space Element**

**Policy 2.2.2**

The City shall require that all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

*As demonstrated in the Written Description under Part E. Recreation and Open Space shall be provided as required by the 2030 Comprehensive 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 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): Medium Density Residential (MDR).

***(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, there is nothing in the Concurrency & Mobility Management System Office (CCMSO) system reserving this proposed development for Mariner's Village PUD. The agent/owner will need to apply for a Mobility application as well as a CCAS/CRC application with the office (CMMSO) for review and assessment of the proposed multi-family project.

***(3) Allocation of residential land use***

This proposed Planned Unit Development intends to utilize the subject parcel for additional multi-family housing units to the existing Mariner's Village multi-family residential 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 proposal 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:** Recreation and open space will be provided in accordance with Section 656.420(b).

**The use of existing and proposed landscaping:** Phase 1 shall remain in its existing as-built condition as depicted on the submitted site plan. Phase 2 of the property shall be developed in accordance with Part 12 Landscape 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 or as approved by the City of Jacksonville 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 Mayport Road.

Mayport Road (State Route A1A), from Dutton Island Road to A1A, is the directly accessed functionally classified roadway. Mayport Road is a 4-lane divided arterial in this vicinity and is currently operating at 54.33% of capacity. This Mayport Road segment has a maximum daily capacity of 39,800 vpd and a 2017 daily traffic volume of 21,623 vpd.

This development is for 200 units of ITE Code 220 Multi-Family Low-Rise which would generate 882 ypd.

**This development is subject to mobility fee review.**

**The use and variety of building setback lines, separations, and buffering:** The applicant proposes the same development standards for the multi-family dwellings for conventional zoning districts outlined in Section 656.306 of the Zoning code.

**The variety and design of dwelling types:** The proposed development expansion will contain a maximum of 80 multi-family dwelling units—which will be constructed within two (2) buildings.

***(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 an existing multi-family community and is surrounded by multi-family and single family dwellings. To the east of the subject property is a more commercialized area along Mayport Road and consist of used car dealerships and retail stores.

**The Comprehensive Plan and existing zoning on surrounding lands: 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>
<b>North</b>	LDR	RMD-D	Multi-Family Dwellings
<b>South</b>	LDR	RMD-A	Single-Family Dwellings
<b>East</b>	LDR	CCG-2	Used Car Dealership
<b>West</b>	MDR	RMD-A	Single-Family Dwellings

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

The proposed development is consistent with the MDR functional land use category and will be developed with multi-family dwellings consisting of eighty (80) units in two buildings with associated parking. The eastern portion of the property is developed with the Mariner’s Village Apartment community and the developer proposes to develop the western portion of the property as a new phase to the existing project.

**The availability and location of utility services and public facilities and services:**

The subject site is outside of the jurisdiction of JEA and is located within the City of Atlantic Beach. Applicant has contacted the City of Atlantic Beach Utility Services Department and has yet to receive notification on service Availability. In order to be in compliance with the 2030 Comprehensive Plan the subject property must connect to City Water and City Sewer.

**School Capacity:**

Based on the Development Standards for impact assessment, the 11.12± acre proposed PUD rezoning has a development potential of 80 additional 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 2019-0549**

**Development Potential: 80 Multi-Family Units**

School Type	CSA	2018-19 Enrollment/CSA	Current Utilization (%)	New Student/Development	5-Year Utilization (%)	Available Seats
Elementary	6	3,888	82%	13	81%	767
Middle	6	2,125	95%	6	93%	164
High	6	2,151	105%	7	96%	76
<b>Total New Students</b>				<b>27</b>		

*Total Student Generation Yield: 0.333*

*Elementary: 0.167*

*Middle: 0.073*

*High: 0.093*

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

**Public School Facilities Element**

**Policy 2.3.2**

The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate with adequate school capacity.

**Policy 2.3.3**

The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

**Objective 3.2**

Adopted Level of Service (LOS) Standards

Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long-range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the

greatest extent feasible.

**Policy 3.1.1**

The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City’s Capital Improvement Plan.

**Supplemental School Information:**

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance.

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/ Portables)	CURRENT ENROLLMENT 20 Day Count (2018/19)	% OCCUPIED	4 YEAR PROJECTION
Neptune Beach ES #246	5	13	1,033	835	81%	84%
Mayport MS #254	5	6	1,004	804	80%	82%
Fletcher HS #223	5	7	2,813	2,935	104%	106%

- Does not include ESE & room exclusions
- Analysis based on a **maximum** 80 dwelling units – 2019-0549

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

The project will be developed, in regards to recreation and open space, in accordance with Section 656.420 of the Zoning Code and Policy 2.2.3 as applicable of the Recreation and Open Space Element of the 2030 Comprehensive Plan.

***(8) Impact on wetlands***

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District confirmed the presence of Category III wetlands on-site. The 0.86 acres of wetlands are located along the southern property boundary and around the edge of the existing storm water retention pond as shown in the Wetlands Map below.





Nonetheless, the written description states, “any development impacting impacting wetlands will permitted to local, state, and federal permitting requirements.” For more information regarding wetlands, please see the attached memorandum from Community Planning Division.

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

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 proposed PUD will not be developed in accordance with Part 6 of the Zoning Code. The applicant requests the ratio to be 1.75 parking spaces per residential unit. The site plan provided states there will be 354 spaces provided between the existing development and the expansions.

***(11) Sidewalks, trails, and bikeways***

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

**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. The bicycle parking must be consistent with the requirements outlined in Part 6 of the Zoning Code.**

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on **August 20, 2019** by the Planning and Development Department, the Notice of Public Hearing sign **was not** posted. However, the applicant promptly followed up and reposted the sign.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2019-0549** be **APPROVED with the following exhibits:**

- The original legal description dated June 13, 2019**
- The original written description dated July 5, 2019**
- The original site plan dated April 19, 2019**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-0549** be **APPROVED W/ CONDITIONS.**

- 1. Access to the site via Mayport Road must be subject to FDOT access management guidelines.**
- 2. In addition to meeting Part 4 Requirements for Recreation and Open Space the applicant shall construct a playground and additional walking paths as apart of the recreational area.**
- 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.**



**Aerial View**

*Source: JaxGIS*



**View of Subject Property.**

*Source: Planning & Development Dept.  
Date: August 20, 2019*



**Entrance to Subject Property from Mayport Road**

*Source: Planning & Development Dept.*

*Date: August 20, 2019*



**View of Future Expansion**

*Source: Planning & Development Dept.*

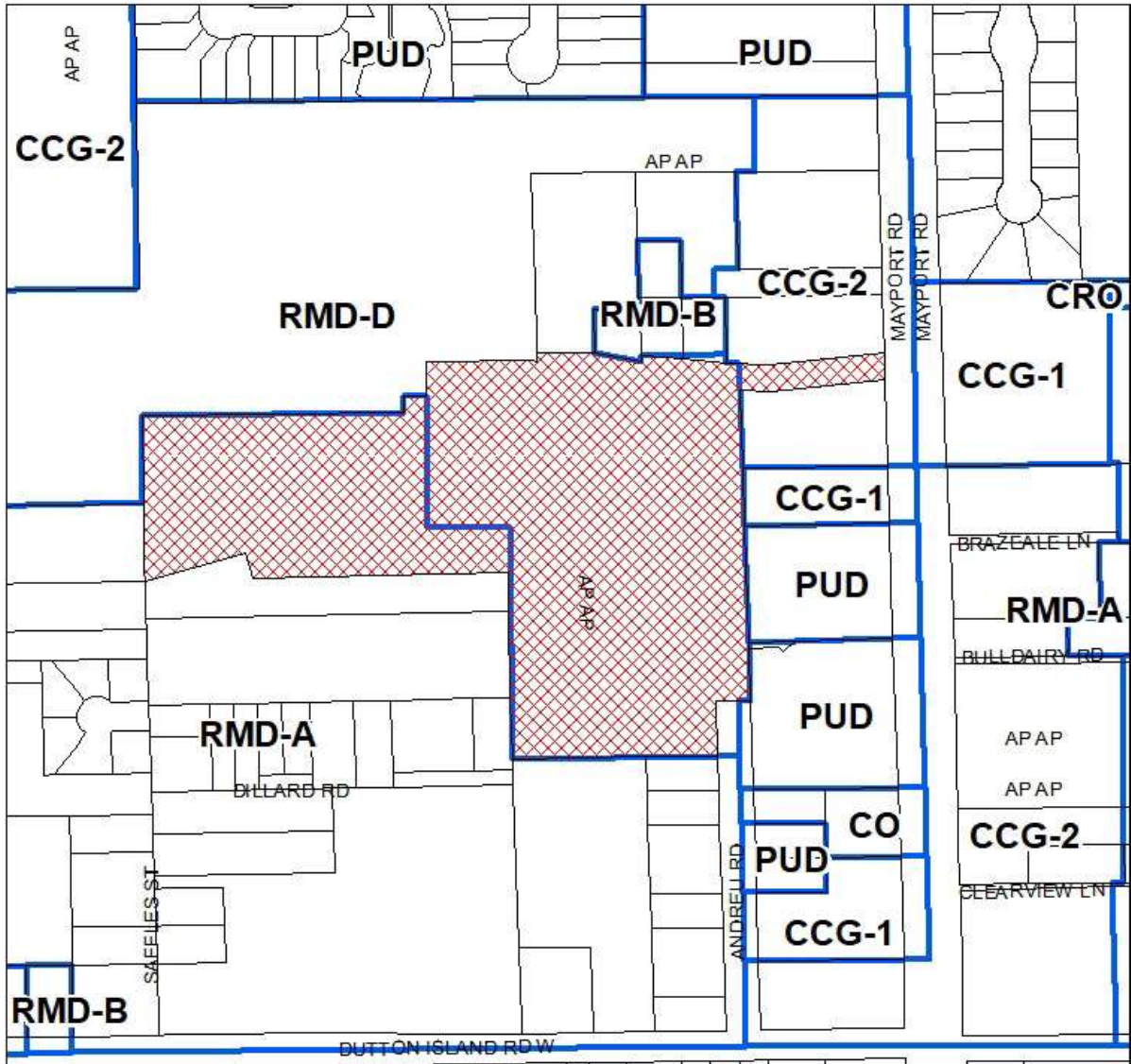
*Date: August 20, 2019*



**View of Property to the East**

*Source: Planning & Development Dept.*

*Date: August 20, 2019*



<p><b>REQUEST SOUGHT:</b></p> <p>FROM: RMD-A, RMD-D, &amp; CCG-2</p> <p>TO: PUD</p>	<p><b>LOCATION MAP:</b></p>	<p><b>COUNCIL DISTRICT:</b></p> <p>13</p>
<p><b>ORDINANCE NUMBER</b></p> <p>ORD-2019-0549</p>	<p><b>TRACKING NUMBER</b></p> <p>T-2019-2384</p>	<p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>