

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-0876 TO**  
**PLANNED UNIT DEVELOPMENT**

**JANUARY 23, 2020**

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 **2019-0876** to Planned Unit Development.

***Location:*** 0 Beach Boulevard (SR 212), 14511 Beach Boulevard (SR 212), 14521 Beach Boulevard (SR 212), 14537 Beach Boulevard (SR 212) 14539 Beach Boulevard (SR 212) and 14549 Beach Boulevard (SR 212); Between Eunice Road and Royal Palm Drive

***Real Estate Numbers:*** 177031-0000, 177025-0000, 177022-0200, 177029 0100, 177029-0000, 177029-0010, 177026-0000, 177023-0000, and 177024-0000

***Current Zoning Districts:*** Planned Unit Development (2004-0523-E) and Commercial Community/General-2 (CCG-2)

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

***Current Land Use Categories:*** Community/General Commercial (CGC) and Agriculture-III (AGR-III)

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

***Applicant/Agent:*** Thomas O. Ingram, Esq.  
Sodl and Ingram, PLLC  
233 E. Bay Street, Suite 113  
Jacksonville, Florida 32202

***Owners:*** Eugene Sur  
Palm Cove Marina Holdings, LLC  
14603 Beach Boulevard (SR 212)  
Jacksonville, Florida 32250

***Staff Recommendation:*** **APPROVE**

## **GENERAL INFORMATION**

Application for Planned Unit Development **2019-0876** seeks to rezone approximately 7.79± acres of land from PUD and CCG-2 to PUD. The rezoning to a new PUD is being sought in order to allow for a maximum of 215 multi-family dwelling units, approximately 21,000 square feet of nonresidential uses and a marina with 115 slips.

A portion of the subject property is currently zoned under PUD Ordinance **2004-0523-E**, which spans an overall 5.7± acres of land and allows for a mixed-use marina community. Ordinance **2004-0523-E** was enacted on July 28, 2004 with no conditions.

The need for the PUD arises out of the current ordinance's limitations on commercial uses, restrictions on the number of residential units and site plan constraints. Ordinance 2004-0523-E restricts the subject property to a maximum of 64 multi-family dwellings and no general commercial retail sales or services. As such, the applicant is requesting a PUD in order to increase number of multi-family dwelling units to 215, allow for approximately 21,000 square feet of commercial and nonresidential uses, increase the maximum building height from 60 feet to 85 feet, and modify the parking/signage entitlements. Staff should also note that the applicant is requesting for the sale and service of all alcoholic beverages to be allowed by right under this PUD rather than by exception as stated under CCG-1 standards.

## **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 of the Urban Area (UA) and Agriculture-III (AGR-III) functional land use category of the Suburban Area (SA) as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

According to the Category Description for the Urban Development Area (UA) of the FLUE, CGC in the UA is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is preferred to provide support for commercial and other uses. Residential uses shall not be the sole use and shall not exceed 80

percent of a development. Principal uses include, but are not limited to: Commercial retail sales and service establishments; Restaurants; Hotel and motel; Office, Business and Professional Office including veterinary office; Financial institutions; Multi-family dwellings; and similar uses. Uses listed within the proposed PUD written description are consistent with the CGC land use category.

AGR-III is intended to provide for agricultural uses and to preserve the existing rural character of outlying areas of the City. The northern portion of the subject site is designated as AGR-III and is mostly submerged. The site plan submitted with the PUD shows this area as marina slips. Marinas meeting the siting criteria of the Conservation/Coastal Management Element (CCME) are considered a principal use in the AGR-III land use category.

As such, 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 Urban Area, Staff finds the proposed development consistent with the type of density and intensity typically found in UA and 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 Beach Boulevard by providing for a greater variety of housing options and a limited, more compatible assortment of commercial marina uses for local residents.

**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, **2019-3361**, the proposed Urban/Suburban Area development must maintain connection to City water and sewer.

**Policy 1.3.4**

New development sites shall be required, wherever possible to share existing access points. The City will encourage new service drives or roads and connections to existing service drives or roads when deemed appropriate by the Traffic Engineering Division and JPDD. This policy is not to conflict with and will not exempt a developer from complying with landscape and tree protection regulations.

Based on the site plan dated November 7, 2019, the proposed development will share existing access points with the abutting Palm Cove Marina facility to the east.

**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 fulfill the aforementioned criteria by providing an assortment of housing options and commercial retail, and recreational amenities—all of which will be integrated in a mixed-use fashion.

**Policy 3.2.2**

The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

The proposed rezoning to a PUD would allow for commercial and residential infill on traditionally underutilized and vacant parcels.

**Recreation and Open Space Element**

**Policy 2.2.5**

All multiple-family developments of 100 units or more shall provide 150 square feet of active recreation area per dwelling unit. There may be one area for each 100 units, or the areas may be combined, subject to approval by the Planning and Development.

In accordance with the policy mentioned herein, the proposed development will provide active recreation/amenities at a ratio minimum of 150 square feet per dwelling unit.

***(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) and Agriculture-III (AGR-III). As such, 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.

***(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 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.

**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 residential and commercial development.

**Traffic and pedestrian circulation patterns:** As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Beach Boulevard (SR 212).

### ***(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 on the north side of Beach Boulevard (a major arterial roadway), between San Pablo Road and the Intracoastal Waterway where commercial and marina development are the predominate uses. The proposed development will an assortment of residential 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	AGR-III	AGR	Undeveloped (Marsh)
South	CGC	CCG-2/RLD-60	Single-Family Dwellings
East	CGC/AGR-III	PUD 2005-1023-E/AGR	Marina Facility
West	CGC/MDR	CCG-1	Multi-Family Dwellings

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

The proposed development is consistent with the CGC and AGR functional land use categories. The PUD is appropriate at this location due its location and frontage along Beach Boulevard.

**The location of various proposed uses within the PUD and the degree of compatibility of such uses with each and with surrounding uses:** The subject property is located within the boundaries of the Greater Arlington/Beaches Vision Plan. General illustrations from the Plan suggest that the subject site should be targeted for mixed-use redevelopment. Sub-principle 2.1 of the Plan is specifically applicable, as it states: Promote Greater Density/Diversity of Land Uses in Appropriate Locations. Objective 2.1.1 of the Plan encourages a range of housing opportunities and choices that are compatible with affected neighborhoods. This objective suggests that the typology and location of new housing ensure that the character and quality of existing neighborhoods is reinforced and improved by new development. Objective 2.1.4 of the Plan states, “New development must be compatible with existing neighborhoods and may be mixed-use.”

The Plan sees value in mixed-use development as an opportunity to balance the needs of new and existing residents with supporting uses that did not previously exist.

**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 force mains located along Beach Boulevard. Additionally, in a memo provided by JEA dated December 12, 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 72,050 gpd.

**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
ES	Alimacani #257	5	35	942	855	91%
MS	Duncan U. Fletcher #63	6	15	1,241	1301	105%
HS	Sandalwood High #237	5	19	2,813	2,879	102%

- Does not include ESE & room exclusions
- Analysis based on a **maximum 215 dwelling units** – PUD 2019-0876

**The amount and size of open spaces, plazas, common areas and recreation areas:** The site plan and written description indicates that minimum of 150 square feet of active recreation area per dwelling unit will be provided. According to the written description, such amenities may include a boardwalk area, pool, or event space. The applicant has also stated that at least ten percent of the development will include passive open space.

**The existence and treatment of any environmental hazards to the proposed PUD property or surrounding lands:** The subject property is located within by the boat facility siting zone. As stipulate in the City of Jacksonville’s Manatee Protection Plan, the site’s shoreline has been designated as having an “acceptable with conditions” siting. Development in an Acceptable With Conditions area may occur at up to five (5) slips for every 100 feet of shoreline owned or controlled by the applicant. As such, the subject property contain approximately 500 linear feet of shoreline, resulting in 25 as the allowable number of slips. However, any marina use is subject to review by the Florida Fish and Wildlife Conservation Commission and St. Johns River Water Management District through the state Environmental Resource Permit program. Such marina shall be consistent with the Manatee Protection Plan.

More information, please see the attached memo from Community Planning Division.

**The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:** The subject property will have two (2) access points along Beach Boulevard (SR 212). Moreover, in the attached memorandum from the Florida Department of Transportation (FDOT), dated December 16, 2019, the applicant will need to coordinate with FDOT Access Management and Permits regarding the access points on SR-212.

**The application was also forwarded to the Transportation Planning Division on December 5, 2019 for review. As of Thursday, January 16, 2020, no comments have been received.**

**Any other factor deemed relevant to the limitation of the intensity of the development for the benefit of the public health, welfare and safety:** Staff also notes that approximately 3.77 acres of the subject site is located within a Coastal High Hazard Area (CHHA), as defined by Sections 163.3178(2)(h) and 163.3164(1), Florida Statutes. Density within the portion of the subject site that is designated CGC and is within the CHHA shall be 20 units/acre. As such, the boundaries of the CHHA are delineated on the site plan below:



**CHHA Boundary Map**

***(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 did not identify of any wetlands on side. However, the entire subject property is located in the AE flood zones. A brief impact review is noted below.



**Flood Zones:**

The entire subject site is located within the AE flood zone. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). The AE flood zone is defined as an area within the 100-year floodplain or SFHA where flood insurance is mandatory. Additionally, the submerged portion of the subject site, designated as AGR-III, is within the VE flood zone. The VE flood zone is defined as an area within the 100-year coastal floodplain or SFHA that also has additional hazards associated with storm waves. Flood insurance is mandatory within these zones. Prior to approval of construction within a VE zone, the developer must demonstrate that any structures built will be able to withstand the wave action. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance. 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.

***(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 commercial uses will be generally developed in accordance with Part 6 of the Zoning Code. However, the applicant has requested a specialized set of parking standards where commercial establishments have a minimum of 2.004 spaces per 1,000 square feet of gross floor area—rather than the minimum three (3) spaces per 1,000 square feet of gross floor area as outlined in Part 6

of the Zoning Code. Marina parking has also been requested at a minimum 0.316 per boat slip as opposed to two (2) spaces per three (3) boat slips outlined in Part 6. Lastly, restaurant parking is proposed at a minimum 0.406 spaces per patron seat compared to the one (1) space for each four (4) seats requirement outlined in Part 6.

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 the multi-family dwellings. The request is to allow for 1.073 spaces per dwelling unit rather than the standards outlined in 656.604(a)(2). Additional specialized parking standard have been requested such as shared parking, tandem parking and valet parking.

***(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 **January 7, 2020** 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 **2019-0876** be **APPROVED with the following exhibits:**

**The original legal description dated September 27, 2019**  
**The original written description dated November 26, 2019**  
**The original site plan dated November 7, 2019**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-0876** be **APPROVED.**



**Figure A:**



**Source: Planning & Development Dept, 10/9/19**

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

**Figure B:**



**Source: Planning & Development Dept, 1/8/20**

**View of the subj property, facing north.**

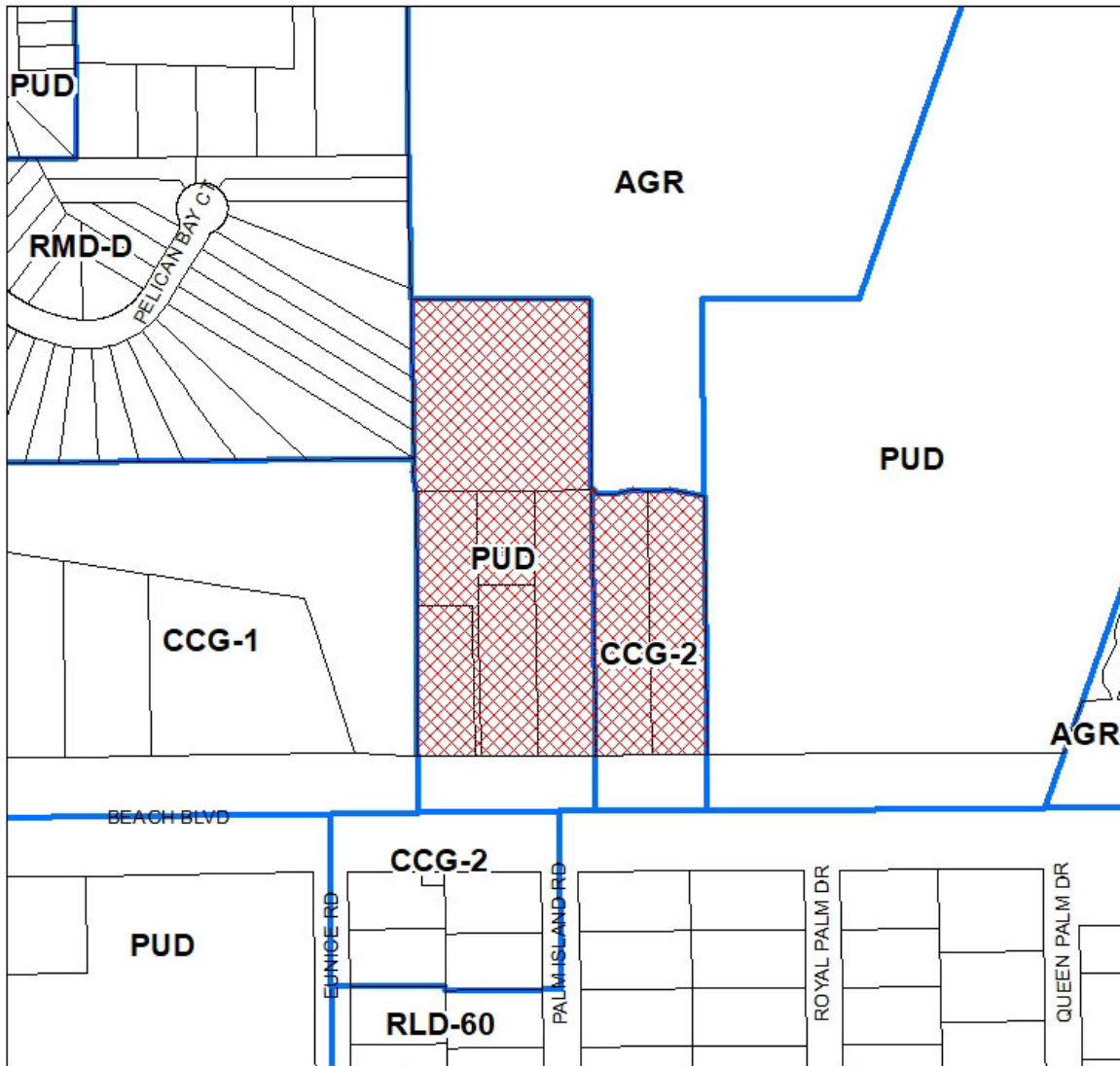


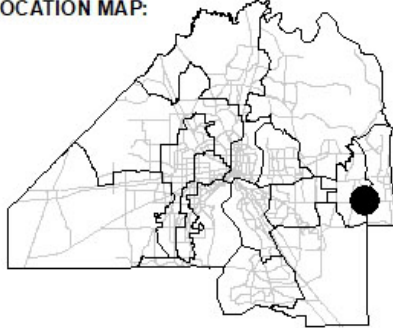
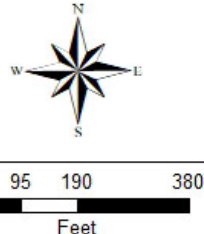
**Figure C:**



**Source: Planning & Development Dept, 1/8/20**

**View of the neighboring marina facility east of the subject property, facing north.**



<p>REQUEST SOUGHT:</p> <p>FROM: PUD &amp; CCG-2</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>13</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2019-0876</p>	<p>TRACKING NUMBER</p> <p>T-2019-2559</p>	<p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>