

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0038 TO
PLANNED UNIT DEVELOPMENT

NOVEMBER 7, 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 **2019-0038** to Planned Unit Development.

Location: 1209 Hammond Boulevard and 1291 Hammond Boulevard; Between Lenox Avenue and Hammond Forest Drive

Real Estate Number: 008754-0000 and 008757-0000

Current Zoning District: Residential Rural-Acre (RR-Acre)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential

Planning District: 5-Northwest

Applicant/Agent: Lara Hipps
Hipps Group, Inc.
16520 Margaret Street
Jacksonville, Florida 32204

Owner: Willo B. Gay and Charles C. Gay, Jr.
1945 Jones Road
Jacksonville, Florida 32220

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2019-0038** seeks to rezone approximately 7.06± acres of land from Residential Rural-Acre (RR-Acre) to PUD. The rezoning is being sought to permit for the development of approximately 66,900 square feet of office park space in the Low Density Residential (LDR) Functional Land Use Category. The proposed business park will contain 15 one-story office buildings as depicted on the attached site plan, dated September 16, 2019.

The need for the PUD arises out of the current zoning district's limitations on commercial uses. Currently, RR-Acre does not allow for commercial office uses. Nonetheless, LDR does allow for Commercial Residential Office (CRO) Zoning District uses as a secondary zoning option as long as the following secondary criteria set forth in Section 656.350(h) and Section 656.350(p) are met. However, because the proposed development will not meet the required locational criteria for secondary zoning, the applicant is requesting a rezoning to PUD.

As Staff previously identified in its preliminary review of the application, several uses included in the Written Description, dated October 9, 2019, are inconsistent with the LDR land use category in the 2030 Comprehensive Plan:

- **Adult Congregate Living Facilities** – are allowed as a secondary use, as long as the facility is located on an arterial roadway and is located within three miles of a hospital. However, Hammond Boulevard and Lenox Avenue are both classified as collector roads.
- **Bed and Breakfast Establishments** – are only allowed in residential land use categories that are designated as historic residential districts.
- **Hospice Facilities** - are allowed as a secondary use, as long as the facility is located on an arterial roadway and is located within three miles of a hospital. However, Hammond Boulevard and Lenox Avenue are both classified as collector roads.
- **Housing for the Elderly** - are allowed as a secondary use, as long as the facility is located on an arterial roadway and is located within three miles of a hospital. However, Hammond Boulevard and Lenox Avenue are both classified as collector roads.

Therefore, Staff recommends that the uses mentioned above be removed from the Written Description.

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?

No. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan.

According to the land use category description, Low Density Residential (LDR) in the suburban development area is intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Commercial retail sales and service establishments are allowed as a secondary use when the site is located at the intersection of roads classified as collector or higher on the Functional Highway Classification Map.

According to the Written Description date September 9, 2019, several uses listed are not consistent within the LDR land use category. Bed and Breakfast establishments are allowed in residential land use categories only in designated historic residential districts. Adult Congregate Living Facilities, hospice facilities and housing for the elderly are allowed as a secondary use, however, as long as said facilities are located within three miles of a hospital and on an arterial roadway. Hammond Boulevard and Lenox Avenue are both classified as collector roads.

Therefore, unless the uses mentioned above are not removed from the Written Description, Staff finds the proposed rezoning to be inconsistent 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?

If the previously mentioned uses are removed from the Written Description, the proposed rezoning to Planned Unit Development will be consistent with the 2030 Comprehensive Plan, and will further the following goals, objectives and policies contained herein, including:

Future Land Use Element (FLUE):

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.

The subject property is located in the Suburban Development Area and according to the attached JEA Availability Letter, **2018-3086**, the proposed development must connect to City water and sewer using the property's existing JEA water and sewer accounts.

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 infill on an undeveloped parcel.

Recreation and Open Space Element (ROSE):

Policy 2.2.1

The City shall require that all new non-residential land uses, except in the Central Business District, provide a minimum of 10% of the property in open space.

The proposed rezoning shall adhere to the policy mentioned herein once development of the site commences.

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

The intended development will meet 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): Low Density Residential (LDR). 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. As such, the agent/owner will need to apply for a Mobility application and a CCAS/CRC application for review, approval & assessment by the Concurrency & Mobility Management System Office.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcel for self-storage facility. 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 with specific reference to the following:

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 as applicable in accordance with the Recreation and Open Space Element (ROSE) 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 the Charter of the City of Jacksonville. Moreover, in an effort to maintain use compatibility and lessen the impact of commercial development with the abutting residential dwellings, the applicant has also requested to install an eight (8) foot high, vinyl fence along the site's south property line.

The treatment of pedestrian ways: Pursuant to the provisions outlined in the 2030 Comprehensive Plan, sidewalks will be provided.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Hammond Road and Lenox Avenue.

Hammond Boulevard, from Normandy Boulevard to Crystal Springs Road, is the directly accessed functionally classified roadway. Hammond Boulevard is a 2-lane undivided collector in this vicinity and is currently operating at 46.59% of capacity. This Hammond Boulevard segment has a maximum daily capacity of 16,074 vpd and a 2017 daily traffic volume of 7,489 vpd.

Lenox Avenue, from Crystal Springs Road to Interstate 295, is another directly accessed functionally classified roadway. Lenox Avenue is a 2-lane undivided collector in this vicinity and is currently operating at 52.54% of capacity. This Old Kings Road segment has a maximum daily capacity of 13,536 vpd and 2017 daily traffic volume of 7,112.

This development is for 66,900 SQFT of ITE Code 750 Office Park, which would generate 741 vpd.

(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: Although being developed for office use, the subject site will promote a transitional mix of uses typically found along collector roadways. Nonetheless, the adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Property Use
North	PBF	PBF-1	Single-Family Dwelling
South	LDR	RR-Acre	Single-Family Dwelling
East	LDR	RR-Acre	Single-Family Dwelling
West	PBF	PBF-1	Elementary School

(6) Intensity of Development

The proposed development is consistent with the LDR functional land use category with specific reference to the following:

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 October 3, 2019, the proposed project design shall meet the JEA Design Standards in effect at the time of construction plan submittal in order to accommodate an additional 22,500 gpd. Staff should also note that the applicant's JEA availability letter will expire on November 16, 2019.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject property will have direct access to the proposed development via Hammond Road and Lenox Avenue. Furthermore, in the attached memorandums from Traffic Engineering and Transportation Planning Division, the development will need to conduct a traffic study prior to 10-set review and must provide for the convenient and safe access of bicycles on site. More specifically, the following comments were issued from Traffic Engineering:

- Provide a traffic study for the need for a left and right turn lanes on Lenox Ave and the need for a right turn lane on Hammond Spring Blvd. If turn lanes are needed, they will be built to FDOT standards based on speed limit for deceleration length. The queue length shall be determined by the study.
- The edge of the driveway on Lenox Ave shall be a minimum of 250' from the edge of pavement of Hammond Blvd.
- The driveway on Hammond Blvd shall align with the entrance driveway to the school or be separated so that the operations of the driveways shall not interfere with each other. This shall be shown in the traffic study.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space as applicable in accordance with the Recreation and Open Space Element (ROSE) 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 any wetlands on-site. However, the written description states “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 subject site will be developed in accordance with Part 6 of the Zoning Code.

(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 **October 31, 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 2019-0038 be **APPROVED with the following exhibits:**

The original legal description dated August 5, 2019
The revised written description dated October 9, 2019
The original site plan dated September 16, 2019

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2019-0038 be **APPROVED WITH CONDITIONS.**

1. **In order to achieve consistency with the LDR Functional Land Use Category as identified in the 2030 Comprehensive Plan, the following uses shall be removed from the Written Description:**
 - a. **Adult Congregate Living Facilities**
 - b. **Bed and Breakfast Establishments**
 - c. **Hospice Facilities**
 - d. **Housing for the Elderly**

2. **A traffic study must be provided to the City of Jacksonville Planning and Development Department 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. The following additional comments shall also be included within the study:**
 - a. **This study must include an analysis to determine the need for left and right turn lanes on Lenox Avenue and the need for a right turn lane on Hammond Spring Boulevard. If turn lanes are needed, they will be built to FDOT standards based on speed limit for deceleration length. The queue length shall be determined by the study.**
 - b. **The edge of the driveway on Lenox Avenue shall be a minimum of 250' from the edge of pavement of Hammond Boulevard. The driveway on Hammond Boulevard shall align with the entrance driveway to the school or be separated so that the operations of the driveways shall not interfere with each other. This shall be shown in the traffic study.**

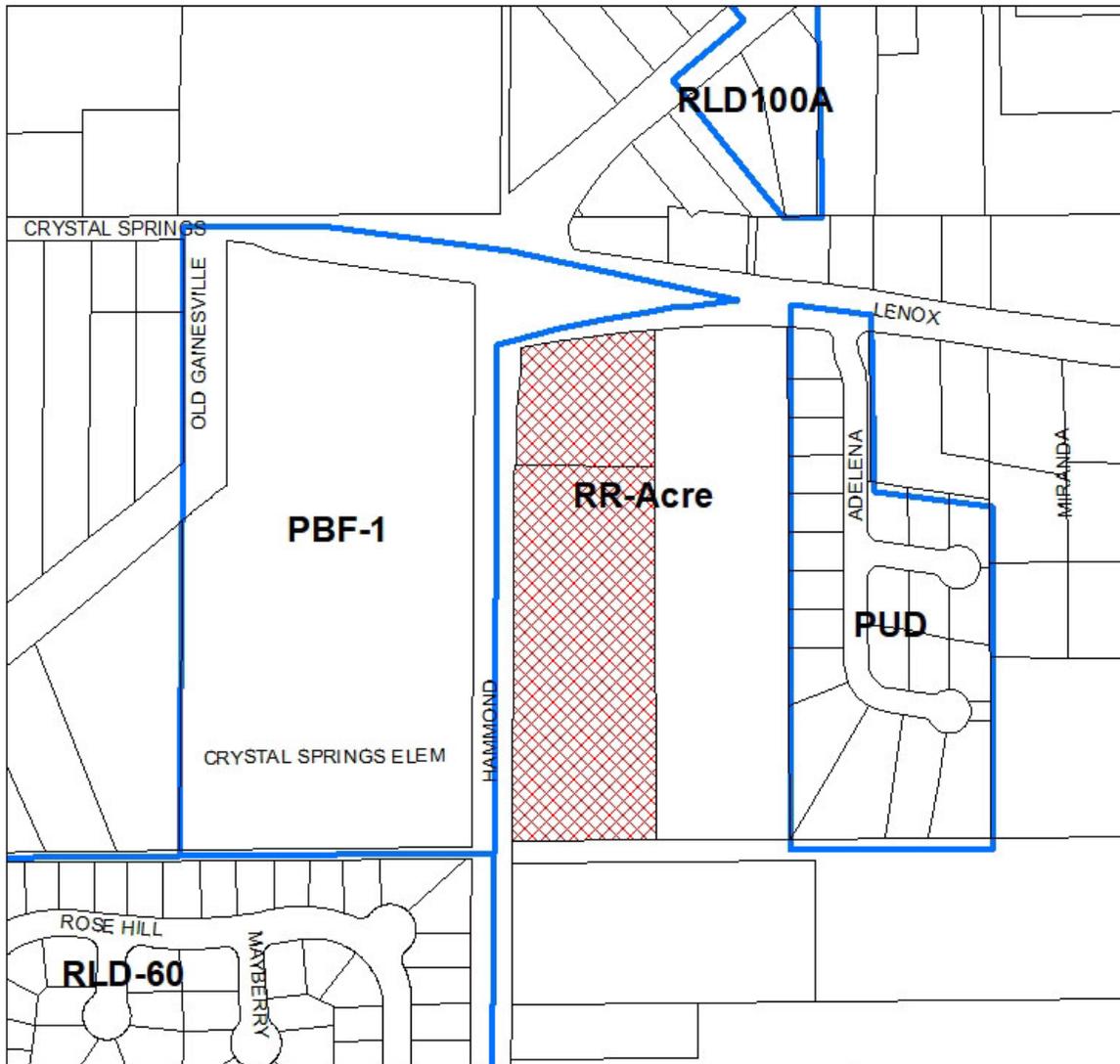
3. **Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.**

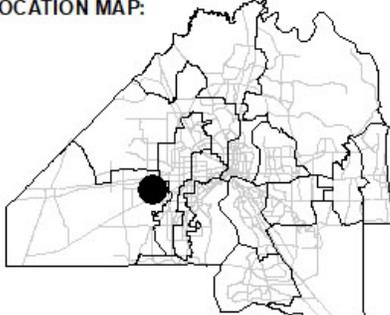
Figure C:



Source: Google Maps, 02/19

View of Lenox Avenue and the subject site, facing south.



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>0 115 230 460 Feet</p> <p>COUNCIL DISTRICT: 12</p>
<p>ORDINANCE NUMBER ORD-2019-0038</p>	<p>TRACKING NUMBER T-2019-2477</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>