

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-496 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 **2019-496** to Planned Unit Development.

***Location:*** West side of Jammes Road between 120th Street and Morse Avenue

***Real Estate Number(s):*** 015825-1300

***Current Zoning District(s):*** Residential Rural-Acre (RR-Acre)  
Residential Medium Density-A (RMD-A)

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

***Current Land Use Category:*** Low Density Residential (LDR)  
Medium Density Residential (MDR)

***Planning District:*** Southwest, District 4

***Applicant/Agent:*** L. Charles Mann  
165 Arlington Road  
Jacksonville, Florida 32211

***Owner:*** Tesche Leighton  
5472 Cellini  
Jacksonville, Florida 32221

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

**GENERAL INFORMATION**

Application for Planned Unit Development 2019-496 seeks to rezone approximately 33 acres of land from RR-Acre and RMD-A to PUD. The rezoning to PUD is being sought to allow a maximum of 140 multi-family units in 35 buildings.

## 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 2030 Comprehensive Plan?***

Yes. The Planning and Development Department finds that the subject property is located in the LDR and 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. LDR is intended to provide for low density residential development, and MDR is intended to provide compact low to medium density mixed use development. Based on the proposed plan of development for the PUD, the residential units are clustered on the portion of the site that is designated as LDR. The maximum gross density for the LDR category is seven (7) units per acre when full urban services are available to the site, and there shall be no minimum density. The development is proposing 140 units planned for the site is less than the maximum density allowed. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code.

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

Yes/No. This proposed rezoning to Planned Unit Development is in/consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

**Future Land Use Element:**

**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 development

**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.

## 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.

### **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.

The development is not consistent with the above recreation policies of the Comprehensive Plan. No active recreation is show on the site plan or mentioned in the written description. Staff recommends

### ***(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 plan of 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 categories as identified in the Future Land Use Map series (FLUMs): LDR and MDR. The Planning and Development Department finds that the proposed PUD is consistent with the 2030 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. The

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

This proposed Planned Unit Development intends to utilize lands for 116 multi-family units. 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 shall be based on the following factors:

- The streetscape: It appears from the site plan the streetscape will be similar throughout the development. There are few houses that will directly front the development.
- The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The site plan indicates that approximately 21 acres will remain as wetlands. The site plan does not show an active recreation area required as required in Section 656.420 (d).
- The use of existing and proposed landscaping: The site is undeveloped, however the written description indicates that the site will comply with Part 12 Landscape Regulations.
- The treatment of pedestrian ways: The written description indicates that the site will comply with the Comprehensive Plan for sidewalks.
- Focal points and vistas: There are not focal points or vistas indicated on the site plan.
- The use of topography, physical environment and other natural features: The intended plan of development will preserve 21 acres of wetlands.
- Traffic and pedestrian circulation patterns: The development will have two access points on 120<sup>th</sup> Street.
- The use and variety of building setback lines, separations, and buffering: The proposed plan will have the same setbacks for the entire development, promoting internal and external consistency. The written description uses the same setbacks that are found in the RMD Zoning Districts.
- The use and variety of building sizes and architectural styles: It is expected the buildings will be of the same design and styles.
- The use and variety of materials: The applicant has not provided information on the type of materials proposed for the buildings.

- The separation and buffering of vehicular use areas and sections of vehicular use areas: The plan will provide landscaping pursuant to Part 12.
- The variety and design of dwelling types: The quadraplex will be the only style of building in the development
- The form of ownership proposed for various uses: Although not stated in the application, the site plan and the development standards would allow each quadraplex building could be sold to individual buyers.

***(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 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 Use</b>
<b>North</b>	LDR	RLD-60	Single family dwellings
<b>South</b>	MDR	RMD-A RMD-MH	Undeveloped Mobile home Park
<b>East</b>	LDR MDR	RR-Acre RMD-C	Single family dwellings Apartments
<b>West</b>	LDR MDR	PUD (94-707)	Single family dwellings

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

The proposed development is consistent with the LDR and MDR functional land use categories as a multi-family residential development. The PUD is appropriate at this location as it clusters the quadraplex buildings outside of the wetlands.

- The availability and location of utility services and public facilities and services: JEA has indicated that water and sewer are available from Jammes Road and Morse Avenue.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The Traffic Engineer has submitted the following comments.  
 The proposed entrance is located at the 90 degree curve of 120th St and Erma Street, introducing a left and through to the proposed entrance road that will cause uncontrolled vehicle conflicts. Provide a traffic study to determine how this new 3 way intersection should function after completion of the subdivision.  
 Provide 5’ sidewalk meeting ADA standards and clear zone requirements on the frontages of 120th St and Jammes Rd.

Curves of the proposed road shall have a minimum centerline radius of 80'

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2018/19)	% OCCUPIED	4 YEAR PROJECTION
Sadie Tillis ES #116	2	5	493	486	99%	97%
Jefferson Davis MS #216	2	2	1,438	974	68%	69%
Westside HS #241	2	3	1,786	1,567	88%	89%

- The amount and size of open spaces, plazas, common areas and recreation areas: The site plan indicates that approximately 21 acres will remain as wetlands. The site plan does not show an active recreation area required as required in Section 656.420 (d).
- The existing residential density and intensity of use of surrounding lands: The intended plan of development will have a net density above the 20 units/acre in the LDR Land use Category. Since there are 21 acres of wetlands, the gross density is 4.2 units/acre, which is substantially consistent with the area.  
Under the Zoning Code, a four unit dwelling requires a minimum 10,200 square foot parcel. The PUD is proposing a 9,000 square foot lot.
- Any other factor deemed relevant to the limitation of the intensity of the development for the benefit of the public health, welfare and safety: The northern portion of the property is within the Military Airport Noise Zone and Notification Zone.  
Section 656.1005.2 indicates that multifamily is conditionally permitted in the 60-64.99 DNL Zone if an Airport Notice Zone Acknowledgement is recorded with the parcel. The Acknowledgement informs all potential buyers of the possibility of significant noise due to aircraft operations.

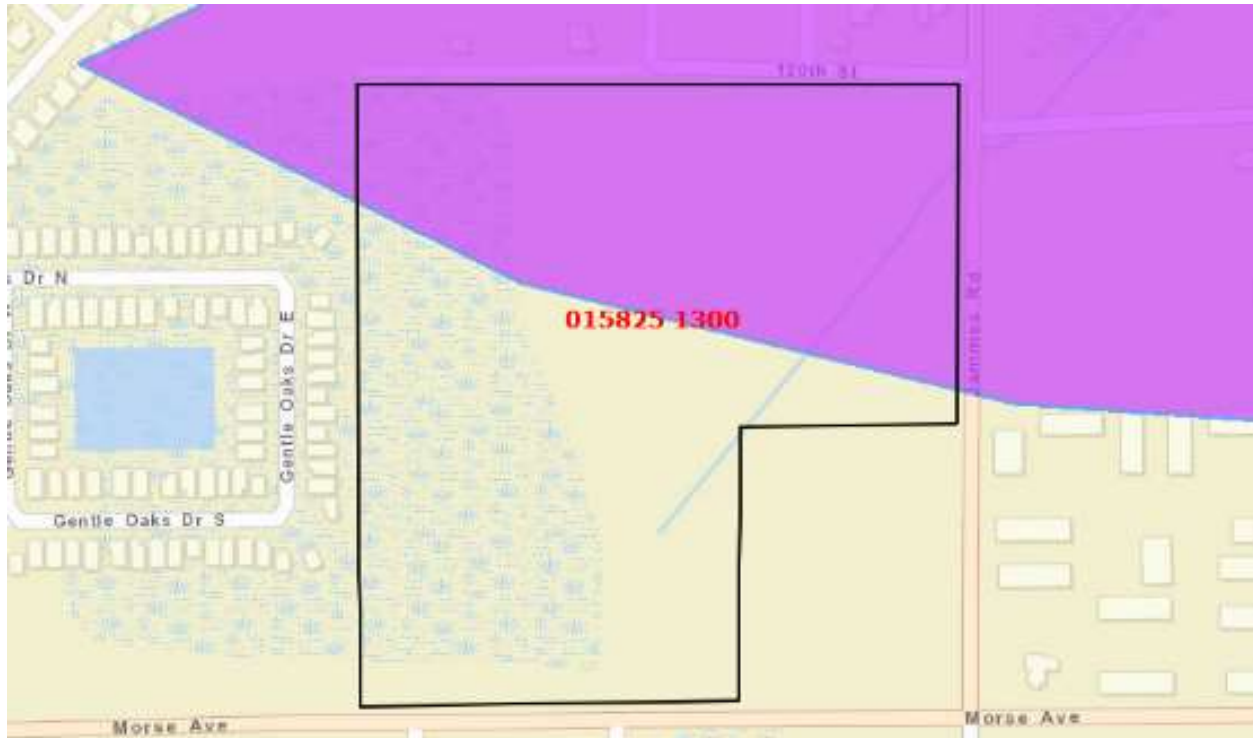


Figure 1 - Military Notice Zone Area

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

The site plan indicates that approximately 21 acres will remain as wetlands. However, the site plan does not show an active recreation area required as required in Section 656.420 (d). The applicant has indicated that a City Park is within 1,000 feet of the proposed PUD and should be exempt from the requirement. The description of Jammes Road Park from the Parks & Recreation website is a “passive, undeveloped park”.

In addition, the written description is requesting an increase in the lot coverage from 50% to 60%. This request has the effect of reducing the area to have play equipment on the lot.

**Since Jammes Road Park does not provide any active recreation facilities, the staff recommends the development provide a minimum of 150 square feet/dwelling unit of active recreation area.**

*Sec. 656.420. - Recreation and Open Space Standards.*

*(d) 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.*

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

Review of City data indicates the existence of 7.06 acres of Category II wetlands on the subject site. The wetland has a high functional value for water filtration attenuation and flood water capacity and has a direct impact on the City’s waterways.

***(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 site will be developed in accordance with Part 6 of the Zoning Code. The site plan show eight parking spaces for each building, which meets the 2 spaces per dwelling unit requirement.

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

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan. Provide five foot sidewalk meeting ADA standards and clear zone requirements on the frontages of 120th St. and Jammes Rd.

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on August 9, 2019, the required Notice of Public Hearing sign was posted.





### **RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2019-496** be **APPROVED with the following exhibits:**

1. The original legal description dated May 28, 2019.
2. The revised written description dated July 25, 2019.
3. The revised site plan dated July 25, 2019.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-496** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. The development shall comply with Section 656.420 (d) of the Zoning Code, providing 150 square feet of active recreation area per dwelling unit.
2. The owner shall record with the Planning and Development Department and the Navy at the time of verification of substantial compliance, an Airport Notice Zone Acknowledgement Form. The developer shall include in a prominent place, a reference on the site plan, covenants, deeds and restrictions of the community, and the plat, the following statement "NOTICE: Buildings may be located in an Airport Notice Zone and may be subject to increased noise or hazard levels associated with air traffic operations."
3. A traffic study, shall be submitted at the time of verification of substantial compliance to the City of Jacksonville Planning and Development Department for review and approval. The traffic study shall include an analysis of the intersection of 120<sup>th</sup> Street and Erma Street.
4. 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 of subject property.





Single family house adjacent to subject property



120<sup>th</sup> Street with narrow width and deep drainage swales



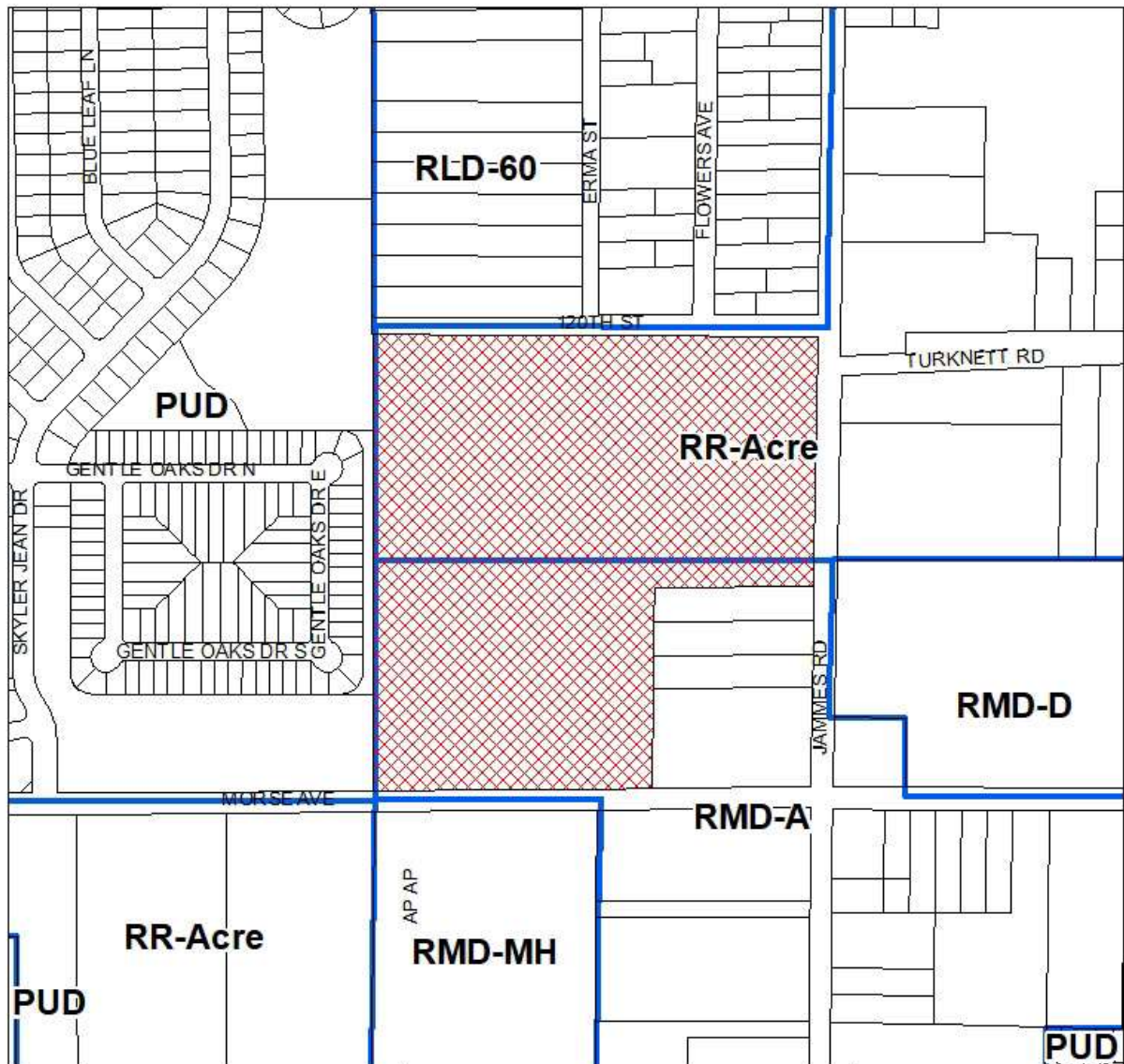


View of subject property on Morse Road

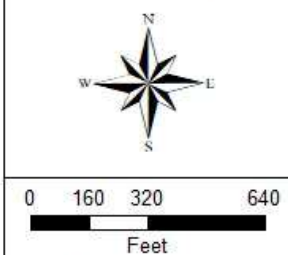
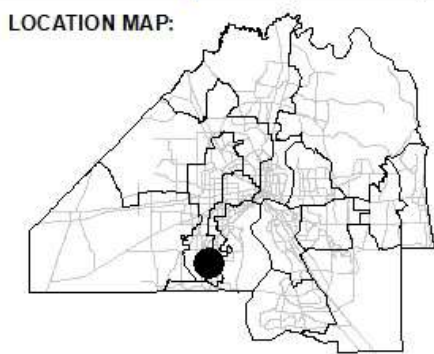


Single family house adjacent to subject property





REQUEST SOUGHT:  
 FROM: RMD-A & RR-ACRE  
 TO: PUD



COUNCIL DISTRICT:  
 9

ORDINANCE NUMBER  
 ORD-2019-0496

TRACKING NUMBER  
 T-2019-2388

EXHIBIT 2  
 PAGE 1 OF 1