# City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James 117 W. Duval St. Jacksonville, FL 32202 (904) 630-CITY www.coj.net

August 19, 2021

The Honorable Samuel Newby, President The Honorable Rory Diamond, LUZ Chair And Members of the City Council City Hall 117 West Duval Street Jacksonville, Florida 32202

**RE:** Planning Commission Advisory Report

Ordinance No.: 2021-408 Application for: Powers Avenue PUD

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: Approve with Condition

Planning Commission Recommendation: Approve with Condition

This rezoning is subject to the following exhibits:

- 1. The original legal description dated: December 1, 2021
- 2. The original written description dated: July 18, 2021
- 3. The original site plan dated: July 9, 2021

Recommended Planning Commission Conditions to the Ordinance:

## **Planning Commission conditions:**

1. All dead end turn arounds will be redesigned to include Cul-de-sac turnarounds, unless otherwise approved by the Planning & Development Department.

## **Planning Department conditions:**

1. All dead end turn arounds will be redesigned to include Cul-de-sac turnarounds.

Recommended Planning Commission Conditions that can be incorporated into the Written Description: None

# Planning Commission Report Page 2

Planning Commission Commentary: A member of the Duval County School Board expressed concern about the location of the north entrance. If the entrance was shifted south it would align with the entrance of the athletic fields. She also brought up the idea of mid-block crosswalks for future students. The Commissioners indicated they will let the Transportation Planning Division or City Traffic Engineer determine the best location of the entrance.

Planning Commission Vote: 6-0

Joshua Garrison, Chair Aye

Dawn Motes, Vice Chair Absent

David Hacker, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

Ian Brown Absent

Alex Moldovan Aye

Jason Porter Aye

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

Sincerely.

Bruce E. Lewis

City Planner Supervisor - Current Planning Division

City of Jacksonville - Planning and Development Department

214 North Hogan Street, Suite 300

Jacksonville, FL 32202

(904) 255-7820

blewis@coi.net

## REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

## **APPLICATION FOR REZONING ORDINANCE 2021-0408 TO**

## PLANNED UNIT DEVELOPMENT

## **AUGUST 19, 2021**

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 2021-0408 to Planned Unit Development.

Location: 0 Powers Avenue

Across from Wolfson High School

**Real Estate Number(s):** 152593-0000

Current Zoning District(s): Industrial Business Park (IBP)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Business Park (BP)

Light Industrial (LI)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: Southeast, District 3

Applicant/Agent: Wyman Duggan, Esq.

Rogers Towers, P.A.

1301 Riverplace Boulevard, Suite 1500

Jacksonville, Florida. 32207

Owner: Arthur Chester Skinner, Jr. Revocable Living

Trust Dated September 10, 1981 7545 Centurion Parkway Suite 301 Jacksonville, Florida. 32256

Staff Recommendation: APPROVE WITH CONDITION

## **GENERAL INFORMATION**

Application for Planned Unit Development 2021-0408 seeks to rezone approximately 74.17 acres of land from Industrial Business Park (IBP) to PUD. The rezoning to PUD is being sought to allow for the development of a mix of Townhomes and Single Family Dwelling. The proposed development will have a maximum of 130 Single Family Dwellings, and a maximum of 337 Townhome Units.

There is a companion Land Use Amendment, **2021-0407** (L-5502-20A). The proposed LUA is seeking to change the existing Light Industrial (LI) and Business Park (BP) to Medium Density Residential (MDR). The department is recommending approval on 2021-0407.

## **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. Applicant seeks to rezone the property to PUD for residential uses. Wolfson High School, Kings Trail Elementary School, and apartment complexes are to the west; tracks owned by the Florida East Coast Railroad are to the east; and the City of Jacksonville's Baker-Skinner Park is to the south.

Zoning application Ordinance 2021-408 has a companion land use application, Ordinance 2021-407/ L-5502-20A, that is changing the land use from BP and LI to MDR in the Urban Priority Development Area on the subject 74.17 acre site. The property is located on the east side of Powers Avenue, which is classified as a collector road, and west of Philips Highway, a minor arterial roadway. Currently, the site is undeveloped. The area west of the site across Powers Avenue is in the Public Buildings and Facilities (PBF) land use category and serves as Wolfson High School. Also west of the site and across Powers Avenue is land designated Medium Density Residential (MDR) and includes multi-family apartment units. The site has access to full urban services.

The Medium Density Residential (MDR) land use category in the Urban Priority Area is intended to provide compact medium to high density mixed use development with a density of 20 units / acre. 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.

The proposed MDR land use category is consistent with the proposed PUD written description and site plan.

Please Note: The project site is associated with an Airport Height Restriction Zone, Wellhead Protection Zones, Flood Zones and wetlands that are reviewed further below.

# (B) Does the proposed rezoning further the goals, objectives and policies of the <u>2030</u> Comprehensive Plan?

Yes. This proposed rezoning to Planned Unit Development is in/consistent with the <u>2030</u> Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

#### **Future Land Use Element:**

## **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.

Based on the JEA Availability Letter Dated August 31, 2020, the subject site has access to both centralized water and sewer services. The subject will be required to use these connections and therefore will comply with Policy 1.2.9.

## Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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 subject site is a large piece of vacant undeveloped land in an area that has nearly been fully developed. The proposed use will add additional residential uses to a mixed use area along Powers Avenue. The proposed it consistent with Objective 6.3

# (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.

# (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): Business Park (BP) and Light Industrial (LI). There is a companion Application for Large-scale Land Use Amendment to

the Future Land use Map Series L-5502-20A (Ordinance 2021-0407 that seeks to amend the land use categories to Medium Density Residential (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.

Mobility # 107603.0 / CCAS # 107603.1 / City Dev # 10151.000: Powers Avenue: Single Family Townhomes was approved by the Concurrency & Mobility Management System Office on 6/28/2021.

It reserves 128 single family homes & 322 townhome units with a Mobility Fee of \$598,175.

The PUD application is showing for 130 single family homes & 337 townhome units.

Due to the increase in the number of dwelling units, the agent/owner would need to reapply for a new Mobility application in order to get a new Mobility fee assessment from what is currently reserved.

## (3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for Single Family Residences and Townhomes. 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:

- O The treatment of pedestrian ways: An internal pedestrian right of way path will be developed along the internal roadways of the proposed development. The pathway will be required to meet all applicable codes.
- O Traffic and pedestrian circulation patterns: The proposed traffic circulation pattern will connect to Powers Avenue at two separate locations. The proposed site plan shows dead end turn arounds, which are no longer permitted unless they include a cul-de-sac. The site plan will need to be adjusted to include cul-de-sac.

## (5) External Compatibility

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Category	Use Zoning District	Current Use
North	LI	PUD	Warehouse / Mini-Storage
South	ROS	PBF-1	City Park
East	HI	IH	Railroad Tracks/Yard Facility
West	RMD-D	MDR	Multi-Family Residential

## (6) Intensity of Development

The proposed development is consistent with the MDR functional land use category. The PUD is appropriate at this location because of the surrounding MDR Land Use Categories and Residential Uses. Other Multifamily developments exist in the surrounding area including across Powers Avenue from the subject site.

The existing residential density and intensity of use of surrounding lands: The subject site is surrounded by residential, commercial, industrial, and institutional uses. There are two Multi-Family complexes located across Powers Avenue from the subject site. Wolfson High School is also located across the street from the subject site, and will serve as the local school for the proposed development.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The proposed development will be developed with direct access to Powers Avenue. Powers Avenue is a Collector Highway that connects with other functional classification roadways including Old Kings Road South, Toledo Road, and University Boulevard.

The City Traffic Engineer has reviewed the project and provided the following comment in regards to the access points:

The two way center left turn lane pavement marking shall be modified at the proposed roads to the subdivision to match that found in FDOT Standard Plans Index 711-001.

The proposed roadways to the subdivision shall align with driveways across the street or otherwise be located to prevent left turn conflicts.

A traffic study shall be provided to determine the adequate left turn lane queuing length required on both sides of the pedestrian refuge. The traffic study shall determine the traffic control devices needed at the pedestrian crosswalk on Powers Avenue. The traffic study shall include a traffic impact analysis for the intersections of Powers Ave/Toledo Rd, Powers Ave/University Blvd, and Old Kings Rd S/Baymeadows Rd.

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

The following information was provided by Duval County Public Schools in relation to the schools that will serve the project:

SCHOOL	CSA	Students Generated	School Capacity	Current Enrollment 20 Day Count (2020-21)	% Occupied	4 Year Projection
King Trail ES #203	4	77	571	313	55%	71%
Alfred Dupont MS #66	4	34	1071	720	67%	72%
Atlantic Coast HS #268	5	43	2443	2311	95%	97%

- Attendance school may not be in proposed development's Concurrency Service Areas (CSA)
- Analysis based on <u>467 maximum</u> dwelling units

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

The proposed project does not propose any new active recreation amenities or areas, however they could be added at a future time. The project proposes to create an access way to the existing Baker-Skinner Park to the south of the subject site to be used as the Recreation and open space.

## (8) Impact on wetlands

In the event that the project does impact any potential wetland areas, the developer will be required to comply with all rules and regulations in regards to the wetlands.

## (9) Listed species regulations

A wildlife survey was prepared by Peacock Consulting Group, LLC in July of 2014. During the on site assessment, no state or federally listed wildlife species were observed on site, however the report does discuss the possibility of the Wood Stork Bird finding habitable conditions on site. No Wood Stork Birds were observed at the time of the report on site.

## (10) Off-street parking including loading and unloading areas.

The dwelling units will have integrated garages for at least one car, and a minimum driveway length of twenty (20) feet, sufficient to park at least one car without protruding into the internal sidewalk (if applicable). Guest parking will be provided at a ratio of one space per three townhome units.

## (11) Sidewalks, trails, and bikeways

The proposed sidewalks trails and bikeways will meet the requirements of the <u>2030</u> Comprehensive Plan.

## SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on August 6, 2021, the required Notice of Public Hearing sign was posted.



## RECOMMENDATION

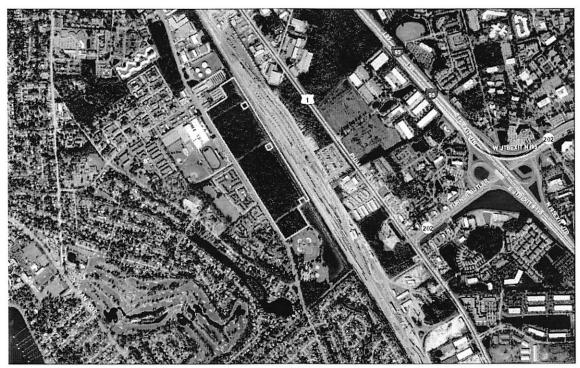
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2021-0408 be APPROVED with the following exhibits:

The original legal description dated: December 1, 2021 The original written description dated: July 28, 2021

The original site plan dated: July 9, 2021

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2021-0408 be APPROVED subject to the following condition, which may only be changed through a rezoning:

1) All dead end turn arounds will be redesigned to include Cul-de-sac turnarounds.



Aerial View

Date: August 9, 2021 Source: JaxGIS



# View of the Subject Site

Date: August 6, 2021

Source: Planning and Development Department



View of the existing multi-family development across Powers Avenue from the subject site.

Date: August 6, 2021

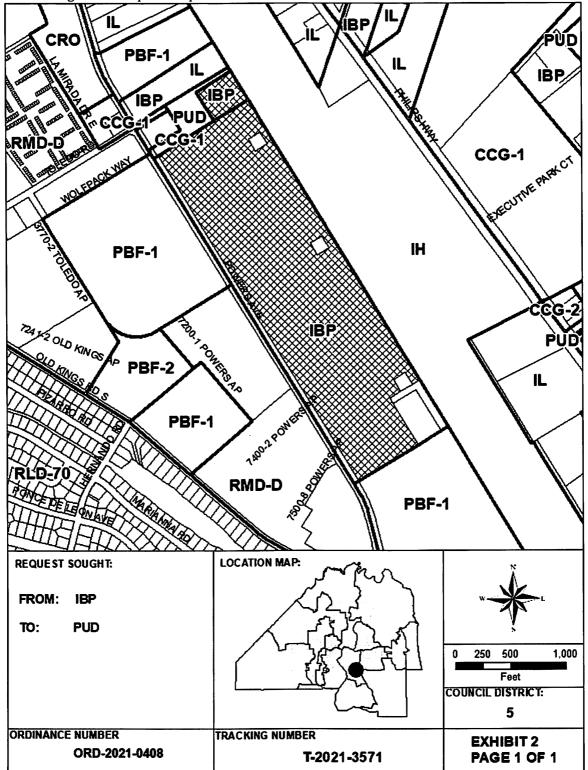
Source: Planning and Development Department



# View of the Wolfson High School from the subject site.

Date: August 6, 2021

Source: Planning and Development Department



#### **Application For Rezoning To PUD**

Planning and Development Department Info

Ordinance # 2021-0408 Staff Sign-Off/Date CMC / 07/09/2021

Filing Date 07/22/2021 Number of Signs to Post 17

**Hearing Dates:** 

08/24/2021 Planning Comission 08/19/2021 **1st City Council** 

Land Use & Zoning 09/08/2021 2nd City Council

Neighborhood Association N/A

Neighborhood Action Plan/Corridor Study N/A

Application Info-

Tracking # **Application Status** FILED COMPLETE **Date Submitted** 05/31/2021 Date Started 05/31/2021

**General Information On Applicant** 

**Last Name** First Name **Middle Name** 

DUGGAN WYMAN

**Company Name** ROGERS TOWERS, P.A. **Mailing Address** 

**JACKSONVILLE** 

1301 RIVERPLACE BOULEVARD, SUITE 1500

State **Zip Code** 32207

Email **Phone** Fax

9043983911 WDUGGAN@RTLAW.COM 9043960663

General Information On Owner(s)

Check to fill first Owner with Applicant Info

First Name **Middle Name Last Name** 

FL

RELOW SEE

Company/Trust Name ARTHUR CHESTER SKINNER, JR. REVOCABLE LIVING TRUST DATED SEPTEMBER 10, 1981

**Mailing Address** 

7545 CENTURION PKWY SUITE 301

State Zip Code City

**JACKSONVILLE** 32256 FL

Phone Fax Email

CHIP@SKINNERREALTY.COM

**Property Information** 

**Previous Zoning Application Filed For Site?** 

If Yes, State Application No(s)

Council **Planning From Zoning** To Zoning Map RE# District District District(s) **District** 

Map 152593 0000 5 PUD 3

Ensure that RE# is a 10 digit number with a space (##### ####)

**Existing Land Use Category** 

**Land Use Category Proposed?** 

If Yes, State Land Use Application #

5502

Total Land Area (Nearest 1/100th of an Acre) 74.17

**Development Number** 

Proposed PUD Name POWERS AVENUE PUD

**Justification For Rezoning Application** 

TO PERMIT SINGLE FAMILY AND MULTIFAMILY RESIDENTIAL INFILL DEVELOPMENT.

**Location Of Property** 

**General Location** 

SAN JOSE

House # Street Name, Type and Direction

**POWERS AVE** 

Zip Code 32217

**Between Streets POWERS AVENUE** 

Exhibit 1

and PHILLIPS HIGHWAY

#### Required Attachments For Formal, Complete application

The following items must be labeled as exhibits and attached to application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below and the PUD Check List for inclusion of information required.

metes and bounds.

A very clear, accurate and legible legal description of the property that must be only and entirely placed on the JP&DD formatted forms provided with the application package. The legal description may be either lot and block or

Exhibit A Property Ownership Affidavit - Notarized Letter(s).

Exhibit B Agent Authorization - Notarized letter(s) designating the agent.

Exhibit C Binding Letter.

Exhibit D Written description in accordance with the PUD Checklist and with provision

for dual page numbering by the JP&DD staff.

Scalable site plan with provision for dual page numbering by the JP&DD staff Exhibit E

drawn at a scale large enough to clearly indicate the following: (a) North arrow and scale; (b) Property lines and dimensions of the site; (c) Building locations and building lot coverage; (d) Parking area; (e) Required Landscaped Areas; (f) All ingress and egress locations (driveways, alleys and easements) within 660 feet; (g) Adjacent streets and rights-of-way; (h) jurisdictional wetlands; and (i) existing site conditions and improvements

that will be undisturbed.

Exhibit F Land Use Table

Exhibit G Copy of the deed to indicate proof of property ownership.

#### Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

Exhibit H Aerial Photograph.

Exhibit I Listed Species Survey (If the proposed site is greater than fifty acres).

Other Information as required by the Department **Exhibit J** 

(i.e.-\*building elevations, \*signage details, traffic analysis, etc.).

Exhibit K Site Location Map.

#### **Public Hearings And Posting Of Signs**

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent MUST BE PRESENT at the public hearings. The required SIGN(S) must be POSTED on the property BY THE APPLICANT within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

#### **Application Certification**

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements,  $\boldsymbol{I}$ understand that the application will be returned for correct information.

Agreed to and submitted

## Filing Fee Information

1) Rezoning Application's General Base Fee:

\$2,269,00

2) Plus Cost Per Acre or Portion Thereof

74.17 Acres @ \$10.00 /acre: \$750.00

3) Plus Notification Costs Per Addressee

12 Notifications @ \$7.00 /each: \$84.00

4) Total Rezoning Application Cost (Not to Exceed \$15,000.00): \$3,103.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

## **EXHIBIT 1 Legal Description**

December 1, 2020

## OVERALL PARCEL

A portion of Sections 16 and 17, and a portion of Section 56 of the Francis Richard Grant, Township 3 South, Range 27 East, Duval County, Florida, together with a with a portion of Tract 1, Acreage Replat of Part of Dixie Farms, as recorded in Plat Book 14, page 100, of the current Public Records of said county, also being the same lands described and recorded in Official Records Book 16198, page 1201, of said current Public Records, being more particularly described as follows.

For a Point of Reference, commence at the intersection of the Southeasterly right of way line of Toledo Road, a 60 foot right of way as presently established, and the Southwesterly right of way line of Powers Avenue, a variable width right of way as presently established; thence North 58 <sup>0</sup>31 '56" East, along the Northeasterly prolongation of said Southeasterly right of way line, 85.00 feet to a point lying on the Northeasterly right of way line of said Powers Avenue; thence South 3 1 <sup>0</sup>28' 04" East, along said Northeasterly right of way line, 290.00 feet to its intersection with the Southeasterly line of those lands described and recorded in Official Records Book 13020, page 637, of said current Public Records, and the Point of Beginning.

From said Point of Beginning, thence Northeasterly along said Southeasterly line of Official Records Book 13020, page 637, the following 3 courses: Course 1, thence North 58 <sup>0</sup>31 '56" East, departing said Northeasterly right of way line of Powers Avenue, a distance of 595.00 feet; Course 2, thence North 31 <sup>0</sup>28'04" West, 305.00 feet; Course 3, thence North 58 <sup>0</sup>31 '56" East, 371.42 feet to the Easterly most corner thereof, said corner lying on the Southwesterly right of way line of Florida East Coast Railroad, a 100 foot right of way as presently established; thence South 31 0 11 '57" East, along said Southwesterly right of way line, 3280.79 feet to the Northerly most corner of Parcel No. 006, as described and recorded in Official Records Book 8267, page 1210, of said current Public Records; thence South 58 <sup>0</sup>31 '36" West, departing said Southwesterly right of way line and along the Northwesterly line of said Parcel No. 006, a distance of 75.00 feet to the Easterly most corner of those lands described and recorded in Official Records Book 9166, page 469 (Exhibit A, Page 2), of said current Public Records; thence along the boundary line of last said lands the following 3 courses: Course 1, thence North 31 0 11 '57" West, departing said Northwesterly line of Parcel No. 006 and along a line parallel with and lying 75 feet Southwesterly of said Southwesterly right of way line of Florida East Coast Railroad, 125.00 feet; Course 2, thence South 58<sup>0</sup>31 '56" west, 125.00 feet; Course 3, thence South 31 <sup>0</sup> 11' 57" East, 125.00 feet to the Southerly most corner of said Official Records Book 9166, page 469 (Exhibit A, Page 2), said corner lying on said Northwesterly line of Parcel No. 006; thence South 58 <sup>0</sup>31 '56" West, along said Northwesterly line, 114.52 feet to the Westerly most corner thereof; thence South 31 of 11 '57" East, along the Southwesterly line of said Parcel No. 006 and along the Southwesterly line of Parcel No. 005, as described and recorded in said Official Records Book 8267, page 1210, a distance of 495.21 feet to the Southerly most corner of said Parcel No. 005, said corner lying on the Northwesterly line of those lands described and recorded in Official Records Book 7765, page 1919, of said current Public Records; thence South 58 <sup>0</sup>48' 03" West, along said Northwesterly line, 634.21 feet to its intersection with said Northeasterly right of way line of Powers Avenue; thence North 31 <sup>0</sup>28'04" West, departing said Northwesterly line and along said Northeasterly right of line, 3467.98 feet to the Point of Beginning.

Less and Except from the above described lands the following exception parcels:

## **EXCEPTION PARCEL 1**

A portion of Section 56 of the Francis Richard Grant, Township 3 South, Range 27 East, Duval County, Florida, being more particularly described as follows.

For a Point of Reference, commence at the intersection of the Southeasterly right of way line of Toledo Road, a 60 foot right of way as presently established, and the Southwesterly right of way line of Powers Avenue, a variable width right of way as presently established; thence North 5 8 <sup>0</sup> 3 1 ' 56" East, along the Northeasterly prolongation of said Southeasterly right of way line, 85.00 feet to a point lying on the Northeasterly right of way line of said Powers Avenue; thence South 3 1 <sup>0</sup>28' 04" East, along said Northeasterly right of way line, 597.52 feet to the its intersection with the Southeasterly line of Open Ditch Easement Parcel 2, as described and recorded in Official Records Book 441, page 33 8, ofthe current Public Records of said county; thence North 58 <sup>0</sup> 31' 56" East, departing said Northeasterly right of way line and along said Southeasterly line, 903.55 feet to the Point of Beginning.

From said Point of Beginning, thence South 31  $^{0}$  11 '57" East, departing said Southeasterly line and along a line parallel with and lying 60 feet Southwesterly of the Southwesterly right of way line of Florida East Coast Railroad, a 100 foot right of way as presently established, 125.00 feet; thence South 58  $^{0}$ 31 '56" West, 125.00 feet; thence North 31  $^{0}$  11 '57" West, 125.00 feet to a point lying on said Southeasterly line of Open Ditch Easement Parcel 2; thence North 58  $^{0}$ 31 ' 56" East, along said Southeasterly line, 125.00 feet to the Point of Beginning.

Said lands being the same as those lands conveyed to JEA as described and recorded in Official Records Book 9166, page 469 (Exhibit A, Page 1), of the current Public Records of Duval County, Florida.

## **EXCEPTION PARCEL 2**

A portion of Section 56 of the Francis Richard Grant, Township 3 South, Range 27 East, Duval County, Florida, being more particularly described as follows.

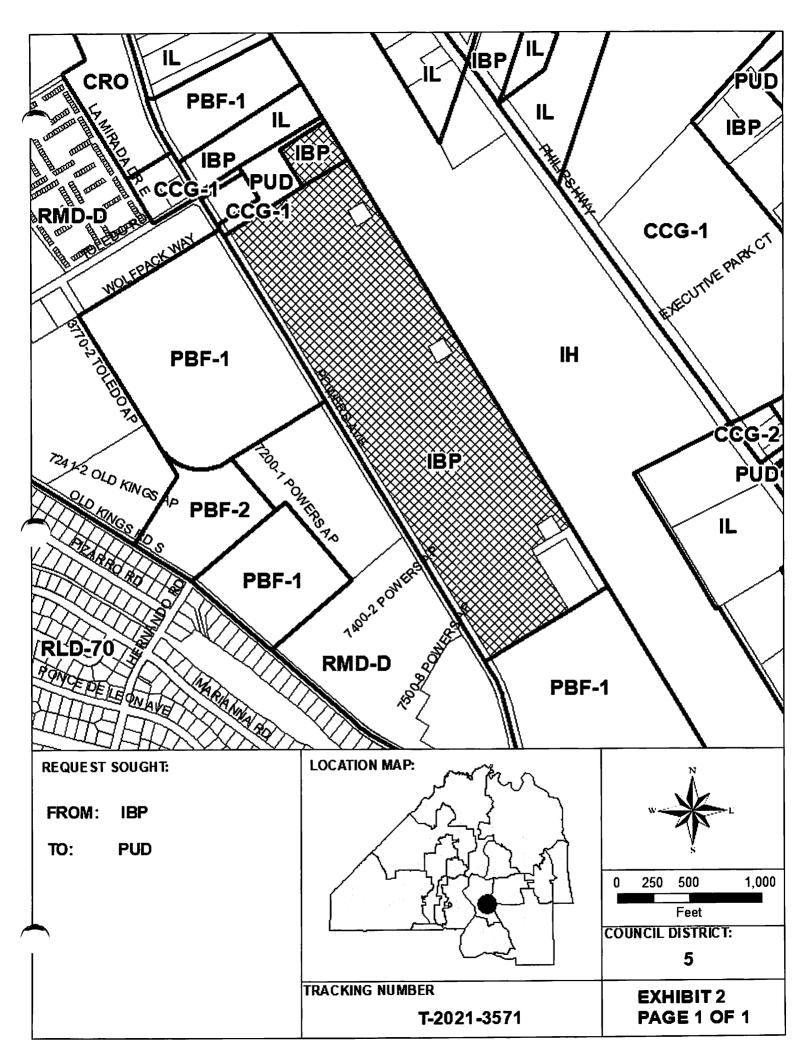
For a Point of Reference, commence at the intersection of the Southeasterly right of way line of Toledo Road, a 60 foot right of way as presently established, and the Southwesterly right of way line of Powers Avenue, a variable width right of way as presently established; thence North 58 <sup>0</sup>31 '56" East, along the Northeasterly prolongation of said Southeasterly right of way line, 85.00 feet to a point lying on the Northeasterly right of way line of said Powers Avenue; thence South 31 <sup>0</sup>28' 04" East, along said Northeasterly right of way line, 1692.52 feet to the its intersection with the Southeasterly line of Open Ditch Easement Parcel 3, as described and recorded in Official Records Book 441, page 33 8, ofthe current Public Records of said county; thence North 58 <sup>0</sup>31 '56" East, departing said Northeasterly right of way line and along said Southeasterly line, 883.42 feet to the Point of Beginning.

From said Point of Beginning, thence South 3 1  $^{0}$  1 1 '57" East, departing said Southeasterly line and along a line parallel with and lying 75 feet Southwesterly of the Southwesterly right of way line of Florida East Coast Railroad, a 100 foot right of way as presently established, 125.00 feet; thence South 58  $^{0}$ 31 '56" West, 125.00 feet; thence North 31  $^{0}$  11 '57" West, 125.00 feet to a point

lying on said Southeasterly line of Open Ditch Easement Parcel 3; thence North 58 <sup>0</sup>31 '56" East, along said Southeasterly line, 125.00 feet to the Point of Beginning.

Said lands being the same as those lands conveyed to JEA as described and recorded in Official Records Book 9166, page 469 (Exhibit A, Page 3), of the current Public Records of Duval County, Florida.

The above described lands containing 74.17 acres, more or less.



## Powers Avenue PUD Written Description July 18, 2021

## I. SUMMARY DESCRIPTION OF THE PROPERTY

A. Current Future Land Use Designation: BP and LI

B. Current Zoning District: IBP

C. Requested Future Land Use Designation: MDR

**D.** Requested Zoning District: PUD

**E.** RE #s: 152593-0000

## II. SUMMARY DESCRIPTION OF THE PLAN

The Applicant proposes to rezone approximately 75± acres of property located at 0 Powers Avenue (the "Property") from Industrial Business Park to Planned Unit Development (PUD). As described below, the PUD zoning district is being requested to permit the infill development of the Property as a residential community. This application is a companion to pending Large Scale Future Land Use Amendment Application L-5502-20A.

The Property is more particularly described in the legal description attached as Exhibit "1" to this application. A conceptual site plan of the proposed development is attached as Exhibit "E" to this application (the "Site Plan"). As indicated on the Site Plan, the proposed PUD rezoning permits the Property to be developed with a maximum of one hundred thirty (130) single family residential units and three hundred thirty-seven (337) townhome units.

The Property is bounded by the Florida East Coast Railroad railyard, Baker-Skinner Park, Powers Avenue, and a personal storage facility. Heron Walk Apartments, Pointe Sienna Apartments, and Wolfson High School are located across Powers Avenue from the Property. As shown on the Site Plan, the proposed development is designed to provide an integrated development that blends in with the surrounding uses. In addition, a combination of fencing, buffering, landscaping and architectural controls are provided to create this integrated community and blend the proposed development into the surrounding area.

## III. PUD DEVELOPMENT CRITERIA

#### A. Permitted Uses.

1. Single family detached and townhome residential dwelling units;

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- 2. Amenities/recreation facilities including but not limited to welcome center, sales office, pool, clubhouse, walking trails, and similar uses;
- 3. Essential services including roads, water, sewer, gas, telephone, stormwater management facilities, radio, television, electric, marine and land communication devices, small satellite dishes, and similar uses subject to performance standards set forth in Part 4 of the City of Jacksonville Zoning Code;
- 4. Home occupations meeting the performance standards of the Zoning Code.
- **B.** Permitted Accessory Uses and Structures. Accessory uses and structures are allowed as defined in Section 656.403 of the Zoning Code, provided, however, that the yard and setback restrictions of Section 656.403(a) do not apply to such uses and structures.

## C. Minimum Townhome Lot and Building Requirements.

- 1. Minimum building setbacks and yard requirements. The building setbacks will be provided for the development as a whole from the overall Property boundaries for all uses and structures as follows:
  - a. Front Twenty-two (22) feet from face of garage to back of sidewalk or back of curb and fifteen (15) feet from building face to back of sidewalk or back of curb.
  - b. Side Zero (0) feet for interior units; ten (10) feet for end units.
  - c. Rear Ten (10) feet.

*Note:* Encroachments by sidewalks, parking, signage, utility structures, fences, street/park furniture, and other similar improvements shall be permitted within the minimum building setbacks.

- 2. Minimum lot requirements. Twenty (20) feet by one hundred (100) feet.
- 3. Maximum height of structures. Thirty-five feet (35) feet. As provided in Section 656.405 of the City of Jacksonville Zoning Code, spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein.
- 4. Maximum lot coverage by all buildings. Seventy (70) percent.

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5. Impervious surface ratio. Seventy-five (75) percent.

## D. Minimum Single Family Lot and Building Requirements.

1. Minimum building setbacks and yard requirements. Front – twenty (20) feet; Side – five (5) feet; Rear – ten (10) feet.

*Note:* Encroachments by sidewalks, parking, signage, utility structures, fences, street/park furniture, and other similar improvements shall be permitted within the minimum building setbacks.

- 2. *Minimum lot requirements*. Forty (40) feet by one hundred twenty-five (125) feet.
- 3. Maximum height of structures. Thirty-five feet (35) feet. As provided in Section 656.405 of the City of Jacksonville Zoning Code, spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for herein.
- 4. *Maximum lot coverage by all buildings*. Thirty-five (35) percent.
- 5. *Impervious surface ratio*. Seventy (70) percent.
- E. Common Landscape Maintenance. An owners' association will ensure the proper maintenance of all common areas, lawns, and landscaping, to be funded by mandatory association dues.
- F. Access. As depicted on the Site Plan, the Property will have three (3) access points on Powers Avenue. The design and exact location of the access points and internal driveways as shown on the Site Plan may vary from that depicted on the Site Plan.
- G. Internal Circulation. The Property will be developed with an internal sidewalk system, to include a connection to the existing external sidewalk along Powers Avenue and interconnectivity between the single family and townhome portions of the Property. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the Planning and Development Department.
- H. Recreational/Open Space. No active recreation amenities will be required on the Property, although they may be provided, due to the proximity of the adjacent Baker-Skinner Park, which will be accessed by the sidewalk on Powers Avenue.

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I. Signage. The PUD shall be permitted one (1) double-faced or two (2) single-faced externally-illuminated monument signs, not to exceed twenty-four (24) square feet in area per sign face and eight (8) feet in height, at each project entrance Powers Avenue, including within the road rights of way.

Directional Signs that indicate ways to and from property entrances, major buildings, common areas and key components of the development within the PUD, for drivers of vehicles, for pedestrian users of the PUD, shall be permitted throughout the PUD. The design of such Directional Signs shall be reflective of the overall character of the PUD, and may include the relevant project logo and name. Directional signs may be attached to lighting fixtures within the PUD.

Temporary real estate and construction signage is permitted, to be removed upon the initial sale of all units. Signs to identify entrances to buildings that contain residential model units not to exceed twelve (12) square feet shall be permitted throughout the PUD.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary of the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project. Accordingly, the area of such signs shall be computed on the basis of the smallest regular geometric shape encompassing the outermost individual letter, words, and numbers on the sign and shall not include the frame or surrounding mount.

J. Parking and Loading Requirements. All dwelling units will have integrated garages for at least one car, and a minimum driveway length of twenty (20) feet, sufficient to park at least one car without protruding into the internal sidewalk (if applicable). Guest parking will be provided at a ratio of one space per three townhome units.

Modifications to parking requirements within the PUD may be permitted by an administrative modification.

K. Landscaping/Fencing/Screening. Landscaping will be constructed and maintained in accordance with the Landscape and Tree Protection Regulations set forth in Part 12 of the City of Jacksonville Zoning Code; provided, however, that notwithstanding the requirements of Sections 656.224 and 656.1224 of the Zoning Code, any required subdivision landscape buffer and yard setbacks may overlap. No uncomplimentary use buffer(s) will be required between the single family and multifamily components of the project. Screening along the portion of the Property adjacent to the rail line will consist of a fifteen (15) foot wide JEA wellhead access easement, plus an existing berm approximately fifty (50) feet in

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width. Except for some single family detached residential lots at the extreme northwest corner of the property, additional screening will be provided by the proposed stormwater management facilities. Other than the foregoing, no additional screening or buffering is proposed along the rail line. Along the rest of the Property boundaries, a maximum six (6) foot high vinyl fence will screen the Property, and will be a minimum of eighty-five percent (85%) opaque. The fencing relief requirement specified in Section 656.1222(c)(2)(iv) shall not apply. A ten (10) foot vegetated strip will also be provided, with landscaped areas that will allow for the inclusion of native or ornamental vegetation, trees, and shrubs.

- L. Architectural Design. Buildings, structures and signage shall be constructed and painted with materials which are aesthetically compatible and blend in with the character of the surrounding area. Throughout the PUD, any dumpsters, compactors, propane tanks, and similar appurtenances shall be kept behind or within substantially opaque enclosures composed of the same material and painted the same color as the nearby structure within the Property, such that the dumpster, compactors propane tank, or similar appurtenance is screened from view from surrounding roadways and adjacent properties.
- M. Lighting. PUD lighting shall be designed and installed to localize illumination onto the Property and to minimize unreasonable interference or impact on any residential zoning districts outside of the PUD.
- N. Stormwater Retention. Stormwater retention/detention system shall be designed and constructed in accordance with the requirements of the City of Jacksonville and the St. Johns River Water Management District, and may include underground detention vaults.
- O. Utilities. Electric power, water and sewer services will be provided by JEA.
- P. Temporary Uses. Temporary sales, leasing and construction office(s) and trailers shall be allowed to be placed within the PUD.
- Q. Modifications. Amendments to this approved PUD district may be accomplished by administrative deviation, administrative modification, minor modification, or by the filing of a rezoning application pursuant to Section 656.341 of the City of Jacksonville Zoning Code. Any use not specifically listed, but similar to or associated with a listed use may be permitted by an administrative modification or minor modification. PUD amendments, including administrative deviations, administrative modifications, minor modifications, or rezonings, may be sought for individual parcels or access points within the PUD.

- R. Conceptual Site Plan. The configuration of the development as depicted in the Site Plan is conceptual and revisions to the Site Plan, including access points and internal circulation, may be required as the proposed development proceeds through final engineering and site plan review, subject to the review and approval of the Planning and Development Department.
- S. JEA Wellhead Protection. Development will comply with the provisions of the January 8, 2021 correspondence from the JEA regarding the three existing JEA wellhead structures within the Property, or as otherwise approved by the JEA.
- T. Florida Black Bear Deconfliction. Development will comply with the advisory information and recommendations set forth in the April 14, 2021 Technical Assistance correspondence from the Florida Fish and Wildlife Conservation Commission.

#### IV. PUD REVIEW CRITERIA

- A. Consistency with Comprehensive Plan. The Property is within the Urban Priority Development Area. Pending companion Large Scale Future Land Use Amendment Application L-5502-20A seeks the MDR land use category, which would permit residential development at a density of up to 20 units/per acre. The planned development is consistent with the types of development intended for the MDR land use category.
- B. Roadways / Consistency with the Concurrence Management System. The development of the Property will comply with the requirements of the Concurrency and Mobility Management System.
- C. Allocation of Residential Land Use. The MDR Urban Priority Development Area land use category permits residential development at a density of up to twenty (20) units per gross acre. The proposed PUD is within the residential allocations provided for in the Comprehensive Plan.
- D. Internal Compatibility / Vehicular Access. The Site Plan addresses access and circulation within the site. The Property will have three primary access points from Powers Avenue. The development is designed to contain traffic circulation internal to the site. The design and exact location of the access point and internal driveways as shown on the Site Plan may vary from that depicted on the Site Plan.
- E. External Compatibility / Intensity of Development. The development is consistent with and comparable to existing development in the area. The Property is bounded by the Florida East Coast Railroad railyard, Baker-Skinner Park, Powers Avenue, and a personal storage facility. Heron Walk Apartments, Pointe

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Sienna Apartments, and Wolfson High School are located across Powers Avenue from the Property. The proposed use is compatible in both intensity and density with these surrounding uses and zoning districts.

- F. Recreation/Open Space. No active recreation amenities will be required on the Property, although they may be provided, due to the proximity of the adjacent Baker-Skinner Park, which will be accessed by the sidewalk on Powers Avenue.
- G. Impact on Wetlands. Development which would impact wetlands will be permitted in accordance with local, state and federal requirements.
- H. Listed Species Regulations. A listed species survey was provided in connection with the companion Large Scale Future Land Use Amendment Application L-5502-20A.
- I. Off-Street Parking & Loading Requirements. The dwelling units will have integrated garages for at least one car, and a minimum driveway length of twenty (20) feet, sufficient to park at least one car without protruding into the internal sidewalk (if applicable). Guest parking will be provided at a ratio of one space per three townhome units.
- J. Sidewalks, Trails, and Bikeways. Internal sidewalks will be provided as shown on the Site Plan. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the Planning and Development Department.

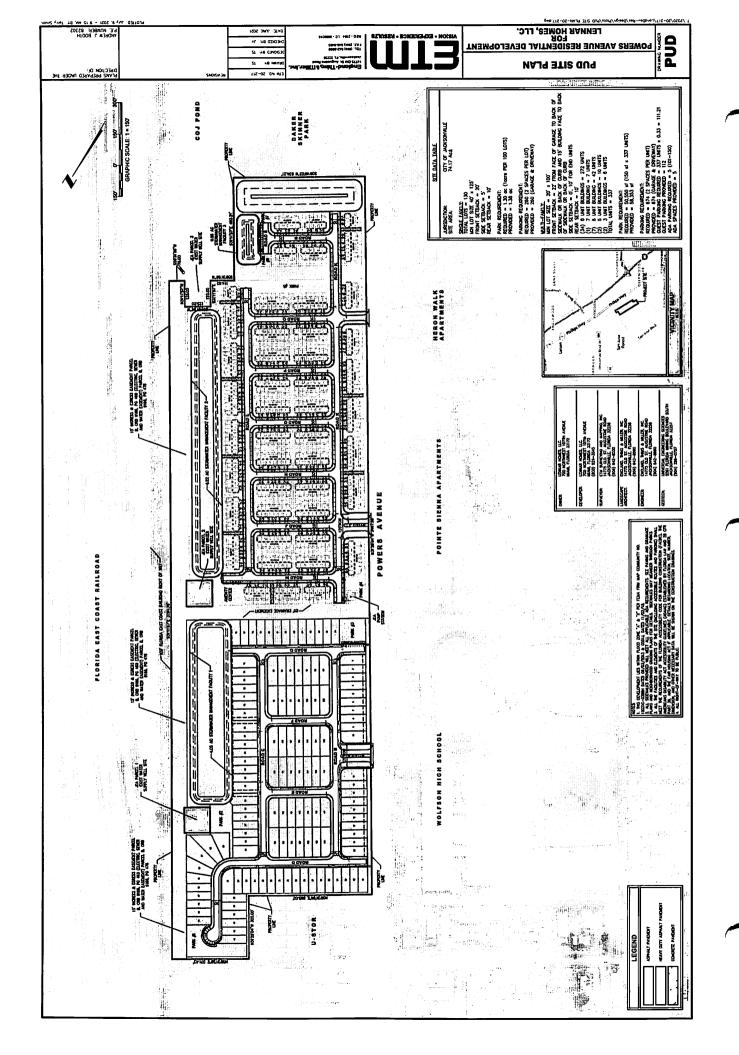
## V. ADDITIONAL § 656.341 DATA

- A. Professional Consultants: Planner and engineer: ETM. Developer: Lennar Homes.
- **B.** Differences from the Usual Application of the Zoning Code: The PUD differs from the usual application of the Zoning Code in the following respects: it binds the Applicant and successors to the PUD Written Description and PUD Conceptual Site Plan; it provides for site-specific design standards and criteria; and it permits a unique and creative approach to the planning and development of the Property.
- C. Land Coverage of All Buildings and Structures/Nonresidential Floor Area: Not to exceed thirty-five percent (35%) of the Property.
- D. Amount of Public and Private Rights of Way: See the Land Use Table.

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E. Operation and Maintenance of Common Areas: An HOA will be established to own and maintain the common areas.

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# **EXHIBIT F**

PUD Name Powers Ave. PUD

## **Land Use Table**

Total gross acreage	74.17	Acres	100 %
Amount of each different land use by acreage		-	
Single family	32.59	Acres	43.94 %
Total number of dwelling units	130	D.U.	
Multiple family	41.58	Acres	56.06 %
Total number of dwelling units	337	D.U.	
Commercial	0	Acres	0%
Industrial	0	Acres	0 %
Other land use	0	Acres	0 %
Active recreation and/or open space	0.37	Acres	0.5 %
Passive open space	2.33	Acres	2.98 %
Public and private right-of-way	13.09	Acres	17.48 %
Maximum coverage of buildings and structures	1,073,568	Sq. Ft.	32.91 %



# Availability Letter

Ann Newland 8/31/2020

**ETM** 

14775 Old St. Augustine Road Jacksonville, Florida 32258

Project Name: Powers Avenue Project

Availability #: 2020-2817

Attn: Ann Newland

Thank you for your inquiry regarding the availability of Electric,Reclaim,Sewer,Water. The above referenced number in this letter wil be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents This availability letter will expire two years from the date above.

#### **Point of Connection:**

A summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibilit for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Condition stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.** 

#### Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completic and final inspection, unless otherwise noted. It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida. All WS&R construction shall conform to current JEA Water, Sewer & Reuse Desig Guidelines which may be found at:

https://www.jea.com/engineering\_and\_construction/water\_and\_wastewater\_development/reference\_materials/

## Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policie and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

https://www.jea.com/water\_and\_wastewater\_development

Sincerely,

JEA Water, Sewer Reclaim

Availability Number: 2020-2817

Request Received On: 8/25/2020

Availability Response: 8/31/2020

Prepared by: Susan West

Expiration Date: 08/31/2022

## **Project Information**

Name: Powers Avenue Project

Address:

County: Duval County

Type: Electric, Reclaim, Sewer, Water

Requested Flow: 95500

Parcel Number: 152593 0000

Location: Vacant lot north of Baker-Skinner Park, across from Wolfson HS

Description: Residential neighborhood consisting of townhomes and single family lots.

## **Potable Water Connection**

Water Treatment Grid: South Grid

Connection Point #1: Existing 24 inch water main (and associated stubouts) along Powers Ave

Connection Point #2:

Connection point not reviewed for site fire protection requirements. Private fire protection analysis Water Special Conditions:

is required.

## **Sewer Connection**

Sewer Grid: Arlington East

Connection Point #1: Existing 8" force main stub along Powers Ave. approx. 375 ft. south from C/L of Toledo Rd.

Connection Point #2:

Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, JEA owned and maintained pump station, and a JEA dedicated force main

Sewer Special Conditions: (min. 4" dia.). Request a force main connection pressure letter through Step 2 of the SagesGov

portal.

#### **Reclaimed Water Connection**

Reclaim Grid:

Connection Point #1:
Connection Point #2:
Reclaim Special Conditions:

**Electric Availability:** 

The subject property lies within the geographic area legally served by JEA. JEA will provide electric Electric Special Conditions: service as per JEA's most current Rules and Regulations.

Point of connection location(s) to be field verified by developer during project design. If needed, a General Conditions: development meeting may be scheduled prior to submitting a plan set through the SagesGov portal. Copies of reference drawings may also be requested using the SagesGov portal.