

# City of Jacksonville, Florida

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*Donna Deegan, Mayor*

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

October 19, 2023

The Honorable Ronald B. Salem, Pharm. D., President  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report**  
**Ordinance No.: 2023-659** **Application for: Morse Ave PUD**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairperson Carrico 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**

This rezoning is subject to the following exhibits:

1. **The original legal description dated June 16, 2023.**
2. **The original written description dated August 22, 2023.**
3. **The original site plan dated August 15, 2023.**

Recommended Planning Commission Conditions to the Ordinance:

Planning Commission conditions: **None**

Planning Department conditions:

1. **There shall be no on-street parking allowed within roadways dedicated to the City of Jacksonville.**

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

Planning Commission Commentary: There were no speakers in opposition. The Staff indicated that after further review, the Condition should be deleted. There was little discussion among the Commissioners.

Planning Commission Vote: **7-0**

Charles Garrison, Chair	Aye
Daniel Blanchard, Vice Chair	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Julius Harden	Absent
Mone Holder	Absent
Ali Marar	Aye
Jack Meeks	Aye
Tina Meskel	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  
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**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2023-0659 TO**  
**PLANNED UNIT DEVELOPMENT**

**OCTOBER 19, 2023**

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 **2023-0659** to Planned Unit Development.

***Location:*** 7932 Morse Avenue

***Real Estate Number(s):*** 015791-0005

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

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

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

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

***Applicant/Agent:*** Blair Knighting  
Kimley Horn and Associates, Inc.  
12740 Gran Bay Parkway West, Suite 2350  
Jacksonville, Florida 32258

***Owner:*** Bret Rothberg  
7932 Morse Avenue LLC  
99 King Street, Unit 4564  
St. Augustine, Florida 32219

***Staff Recommendation:*** **APPROVE WITH CONDITION**

**GENERAL INFORMATION**

Application for Planned Unit Development **2023-0659** seeks to rezone approximately 3.73± acres of land from Residential Rural-Acre (RR-Acre) to Planned United Development (PUD). The rezoning to PUD is being sought to allow for a maximum of 26 units, not to exceed a maximum density of 7 units per acre, containing both townhomes and single-family homes. The proposed development based on the site plan will contain 25 units, 14 townhomes and 11 single-family homes on 25 lots. Each single-family dwelling lot will be a minimum of 40 feet width with a

minimum lot area of 4,000 square feet per lot. Each townhome lot will be a minimum of 15 feet width (25 feet for end units) with a minimum lot area of 1,500 square feet per unit lot.

The proposed PUD will differ from the usual application of the Zoning Code by reducing the single-family minimum yard requirement for a secondary front yard from 10 feet to 5 feet. Additionally, this PUD will deviate from the Zoning Code Section 656.414(a)(4)(b) by reducing the townhome side setback for end units from 10 feet to 5 feet. An additional deviation from Zoning Code Section 656.1222(b) is proposed to remove the average 20 feet buffer and propose a consistent 15 feet buffer. Rezoning the parcel to PUD is required to provide the cohesive mix of single-family and townhome units, while also continuing the single-family developments along Morse Avenue.

### **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 2045 Comprehensive Plan?***

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) 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 2045 Comprehensive Plan. LDR is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Single-family residential units are allowed in the LDR land use category. Multi-family residential uses are allowed in the LDR land use category when both centralized potable water and wastewater are available to the site. Per the JEA letter of availability provided by the applicant, both are available to the site via Morse Avenue. The maximum gross density allowed in the LDR land use category in the Suburban development area is 7 units/acre when centralized potable water and wastewater services are available.

Single-family and multi-family residences are allowed in the LDR land use category and maximum density for the 3.73-acre site is 26 units. The proposed PUD would allow for the construction of a total of 14 townhomes and 11 single-family homes, which is within the density limit. Therefore, the proposed Planned Unit Development (PUD) is consistent with the LDR land use category.

***(B) Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?***

Yes. This proposed rezoning to Planned Unit Development is consistent with the 2045 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

**Future Land Use Element:**

**Goal 1** To ensure that the character and location of land uses optimize the combined potentials of economic benefit and enjoyment, wellness, and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

**Objective 1.1** Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

**Policy 1.1.9** Promote the use of Planned Unit Developments (PUD) zoning districts, cluster developments, and other innovative site planning and smart growth techniques in order to allow for appropriate combinations of complementary land uses, densities and intensities consistent with the underlying land use category or site specific policy, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations. These techniques should consider the following criteria in determining uses, densities, intensities, and site design:

- Potential for the development of blighting or other negative influences on abutting properties
- Traffic Impacts
- Site Access
- Transition of densities and comparison of percentage increase in density above average density of abutting developed properties
- Configuration and orientation of the property
- Natural or man-made buffers and boundaries
- Height of development
- Bulk and scale of development
- Building orientation
- Site layout
- Parking layout
- Opportunities for physical activity, active living, social connection, and access to healthy food

**Goal 3** To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

**Airport Environment Zone**

The site is located within the 500-foot Civilian Height and Hazard Zone, and the 500-foot Military and Hazard Zones. Zoning will limit development to a maximum height of 500 feet, unless

approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

### **Aquifer Recharge**

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protections. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

### ***(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 2045 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): Low Density Residential (LDR). The Planning and Development Department finds that the proposed PUD is consistent with the 2045 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 development is subject to mobility fee review and Pursuant to Policies 4.1.4, 4.1.5, and 4.1.8 of the Transportation Element of the 2045 Comprehensive Plan.**

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

This proposed Planned Unit Development intends to utilize the subject parcel for residential development containing both townhomes and single-family homes. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis for 2045 Comprehensive Plan’s Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2045 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:** The development will have a U-shaped 2-way street that begins and ends on Morse Avenue that gives access to all lots and guest parking. The Written Description also stated that “Additional vehicular access CAN be added to the site in the future. These future access locations shall be reviewed and approved through an administrative modification by the Planning and Development Department. If ownership or occupancy of the property is subdivided among more than one person or entity, internal access shall be provided by reciprocal easements for ingress and egress among the driveways of the various parcels within the subject property.”

**The use of existing and proposed landscaping:** The Written Description states that the proposed property shall be developed in accordance with Part 12 (Landscape Regulations) except for the proposed deviation from Land Development Code Section 656.1222(b) to remove the average 20-foot buffer and propose a consistent 15-foot buffer.

The application was forwarded to Parks & Recreation Department and received the following comments from the Waterfront Project Manager:

- The property is immediately adjacent to McGrits Creek Preserve. Intensifying the land use adjacent to conservation lands makes it more difficult to manage and can lead to conflicts. Keeping the property as RR would be preferable. The city property is a working forest, and our land managers may utilize prescribed fire, timber harvesting and mechanical thinning of vegetation to appropriately manage the property. The city plans to develop a formal trailhead at the end of Morse Avenue to provide public parking and trail access in the future. These types of land uses, and management activities are sometimes viewed as objectionable by adjacent neighbors so it will be important for future residents of this PUD site to be aware of planned activities at the Preserve. The Site Plan does not show an adequate buffer on the west boundary that touches the city-owned preserve. We typically request a 25’ natural, vegetated buffer.

**The treatment of pedestrian ways:** The Written Description states that the project will comply with the applicable requirements of the Zoning Code, 2045 Comprehensive Plan, and Land Development Procedures Manual regarding the provision of sidewalks. It also states that the internal sidewalks throughout the site will connect with the external sidewalks that will be provided along Morse Avenue.

**Traffic and pedestrian circulation patterns:** As demonstrated on the site plan, the proposed traffic circulation system will be serviced using Morse Avenue. Application was forwarded to Traffic & Engineering and received the following comments:

- There shall be no parking in the City right of way. If the road is to be dedicated to the City of Jacksonville, remove all such parking.

The subject site is approximately 3.73 acres and is accessible from Morse Avenue, a local facility. East of the subject site Morse Avenue between Ricker Road and Blanding Boulevard is currently operating at 18% capacity. This segment currently has a maximum daily capacity of vehicles per day of 18,980 (vpd) and average daily traffic of 3,420 vpd.

The application requests 11 dwelling units of single family (ITE Code 210), which could produce 104 daily trips and 14 dwelling units of townhomes (ITE Code 215), which could produce 101 daily trips.

**The use and variety of building setback lines, separations, and buffering:** The Written Description states that the single-family homes will have a front yard setback of 20 feet, a second front yard setback of 5 feet, a side yard setback of 3 feet, and a rear yard setback of 10 feet. The Written Description also states that the townhomes will have a front yard setback will be 22 feet from the outside edge of sidewalk to the garage face where sidewalks are located on that side of the street and 15 feet to the building facade; 22 feet from the back edge of curb where no sidewalks are located to the garage face and 15 feet to the building facade. The side yard setback will be 0 feet for internal units and five (5) feet for end units, and the rear yard setback will be ten (10) feet.

**The use and variety of building groupings:** The site plan shows 25 lots, with 1 unit per lot, 14 townhomes and 11 single-family units, totaling 25 units. This PUD is allowed up to 26 units.

### *(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:** On the north side of Morse Avenue are single family dwellings with smaller lots, between Ricker Road and the subject property's eastern boundary line. There are a mix of single-family dwellings and mobile homes that surround the northern, eastern, and southern portions of the property. The proposed townhomes and single-family homes will be a transition from mobile homes, single-family uses, and the recreation open space to the west of the property.

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

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single Family Dwellings



<b>South</b>	LDR	RR-ACRE	Single Family Dwellings, Mobile Homes
<b>East</b>	LDR	RR-ACRE, PUD (2023-0295)	Single Family Dwellings, Mobile Homes
<b>West</b>	ROS	ROS	Recreation Open Space

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

The proposed development is consistent with the Low Density Residential (LDR) functional land use category as multi-family residential development. The proposed PUD will allow for a maximum density of 26 units, with the proposed development of 25 lots containing a mix of single-family dwelling and townhomes. The Written Description has each single-family home lot will be a minimum of 40 feet width with a minimum lot area of 4,000 square feet per unit lot, while each townhome lot will be a minimum of 15 feet width (25 feet for end units) with a minimum lot area of 1,500 square feet per unit lot.

**The existing residential density and intensity of use of surrounding lands:** On the north side of Morse Avenue are single family dwellings between the conservation area and Ricker Road. East of the subject property are single family dwellings and mobile homes that consist of different sized lots. The proposed new single-family homes and townhomes will be an addition to the currently existing single-family homes, and the currently being constructed single-family homes and town homes on Morse Avenue.

**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, JEA stated they have no objections to the proposed PUD. In a memo provided by JEA dated May 5, 2023, shows potable water connection existing 12-inch main along Morse Avenue and sewer connection existing 8-inch gravity sewer main along Morse Avenue.

**The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:** The northern side of Morse Avenue has access roads to the subdivisions in the area. This proposed PUD will add an access road to the southern portion of Morse Avenue to access the single-family homes and townhomes on the proposed property.

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

The property shall provide Recreation and Open Space in compliance with the City of Jacksonville 2045 Comprehensive Plan and Section 656.420 of the City's Land Development Code.

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

Review of information submitted by the applicant indicates there is no existence of wetlands on the subject site and as such, based upon the city's geographic information data, the Planning and Development Department has determined there is no wetlands within this property. However, the

applicant did state in the Written Description that “The project will follow the requirements of the St. Johns River Water Management District’s wetland permitting process and 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 site will be developed in accordance with Part 6 of the Zoning Code.

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

Pedestrian access shall be provided by sidewalks installed in accordance with the 2045 Comprehensive Plan. The internal sidewalks throughout the site will connect with the external sidewalks that will be provided along Morse Avenue.

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on October 2, 2023, the required Notice of Public Hearing signs were posted.



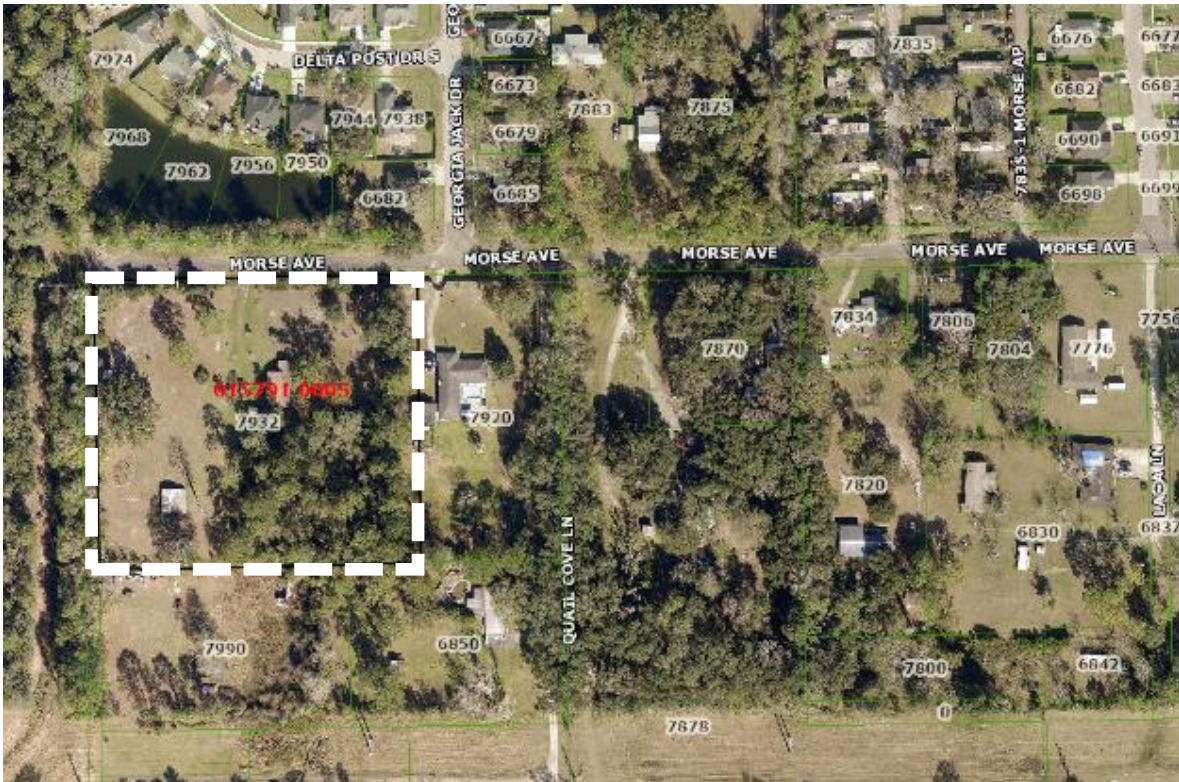
**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2023-0659 be **APPROVED with the following exhibits:**

1. The original legal description dated June 16, 2023.
2. The original written description dated August 22, 2023.
3. The original site plan dated August 15, 2023.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2023-0659 be **APPROVED** subject to the following condition, which may only be changed through a rezoning:

1. There shall be no on-street parking allowed within roadways dedicated to the City of Jacksonville.



**Aerial view of subject property.**



**View of the Subject Property from Morse Avenue**  
**Source:** *Planning and Development Department, 10/2/2023*



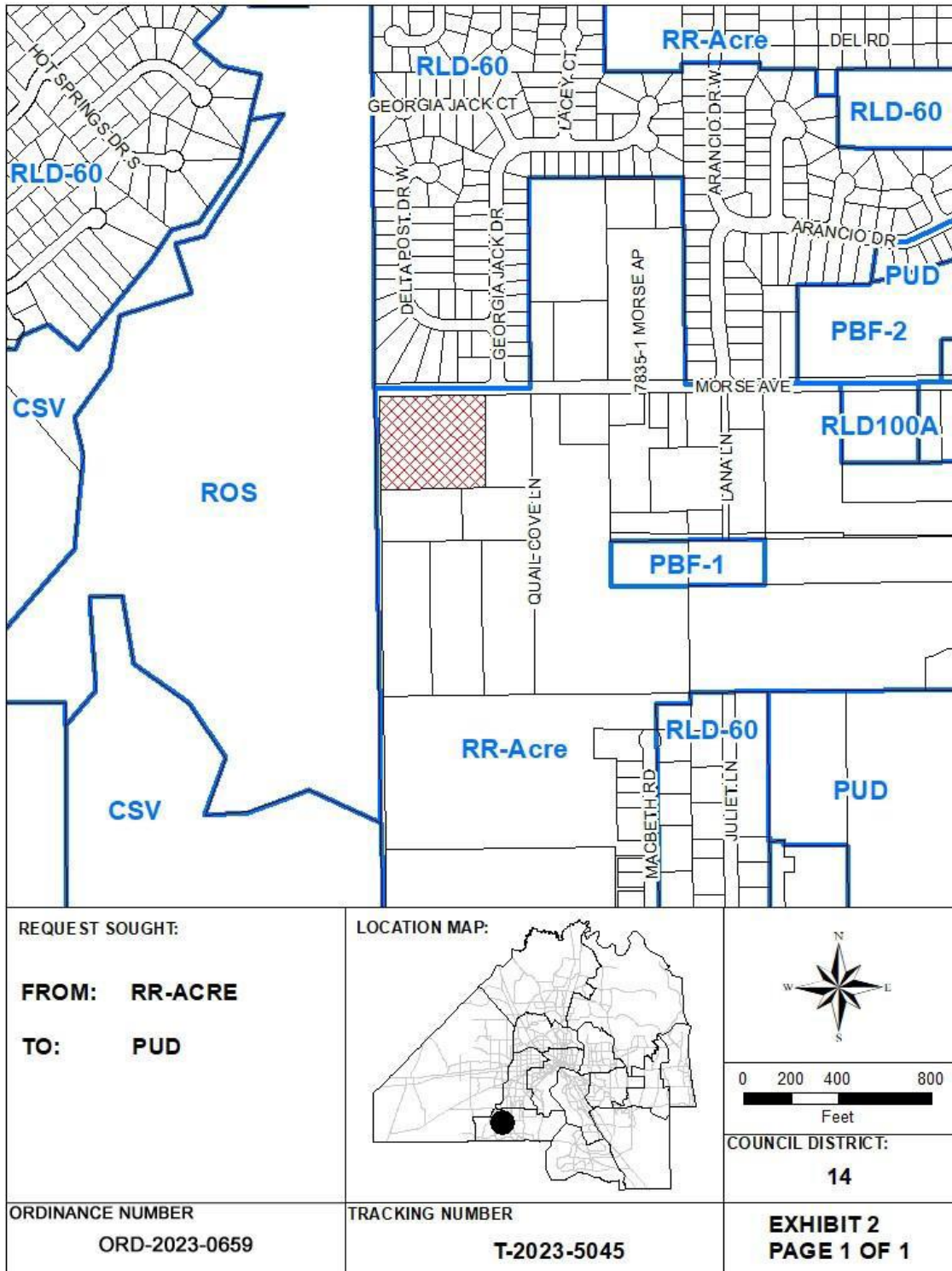
**View of the entrance of the Subject Property from Morse Avenue**  
**Source:** *Planning and Development Department, 10/2/2023*



**View of structures on the Subject Property from Morse Avenue**  
*Source: Planning and Development Department, 10/2/2023*



**Western View of the Subject Property and adjacent ROS from Morse Avenue**  
*Source: Planning and Development Department, 10/2/2023*



Legal Map