

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2023-0600 TO
PLANNED UNIT DEVELOPMENT

October 5, 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 **2023-0600** to Planned Unit Development.

Location: 3301 Kennedy Lane, 0 Old Fairbanks Road, and
3323 Loretto Road

Real Estate Number(s): 156120-0000, 156326-0000, 156327-0000,
158109-0000

Current Zoning District(s): Planned Unit Development (PUD 2022-0250-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southeast, District 3

Applicant/Agent: Cyndy Trimmer
Driver, McAfee, Hawthorne and Diebenow, LLC
1 Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owners: Southbelt Park LTD
13897 Bella Riva Lane
Jacksonville, Florida 33425

IGS Diamond S. Inc,
984 Shipwatch Drive East
Jacksonville, Florida 32225

Irving G. Snyder Jr.
13897 Bella Riva Lane
Jacksonville, Florida 32225

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2023-0600** seeks to rezone 23.60± acres of land from Planned Unit Developments **2022-0250-E** to PUD. The rezoning to a new PUD is being sought to add churches as a permitted use. Planned Unit Development 2022-0250-E was approved in 2022 and permitted the property to be developed as a residential community consisting of up to 60 single family detached homes. The property is still vacant.

PUD Ordinance 2022-0250-E was approved with the following conditions:

1. A traffic study shall be provided at Civil Site Plan Review. Prior to commencement of the traffic study, the traffic professional shall conduct a methodology meeting to determine the limits of the study. The methodology meeting shall include the Chief of the Traffic Engineering Division, the Chief of the Transportation Division, and the traffic reviewer from Development Services.
2. The proposed street typical cross section shall match that found in City of Jacksonville Standard, Residential Local Subdivision Street Classification, Plate P-127 Roadway Drawing.
3. Sidewalks internal to the subdivision shall be built in accordance with Subsections 656.133(e) and (f), Ordinance Code.

The Planning & Development Department has reviewed the conditions of the enacted ordinance and forwards the following comments:

1. Staff reviewed the above listed conditions that are in the attached written description and do not recommend forwarding them in this PUD.

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 23.60-acre subject site is located on the north side of Loretto Road, a collector roadway east of San Jose Boulevard (SR-13), a minor arterial road. The site is in Planning District 3, Council District 6, and is in the Suburban Development Area. The site is in the LDR land use category. The applicant seeks to rezone the property from Planned Unit Development (PUD) to Planned Unit Development (PUD).

According to the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Area is intended to provide for low density residential development. The maximum gross density in the Suburban Area shall be 7 units/acre when centralized potable water and

wastewater services are available to the site and there shall be no minimum density. The maximum gross density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available.

The proposed Planned Unit Development (PUD) would allow for the construction of a church which 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:

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 permitted use of a church in this residential development would allow for different uses that are complementary to this land use category and to this PUD development. The current site plan does not have a church on the property, but the owners/applicants can submit a revised site plan with a Minor Modification application, if approved.

Objective 1.6

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.

Approval of this application would promote infill development as the lot is not currently being used.

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.

The previous PUD, 2022-0250, was focused on residential development, which fits the character of the area, but this PUD would permit a use that would achieve a combination of residential development and non-residential development, while still fitting the character of the area and serving the community.

Airport Environment Zone

The site is located within the 500-foot Height and Hazard Zone for the Jacksonville Naval Air Station. 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).

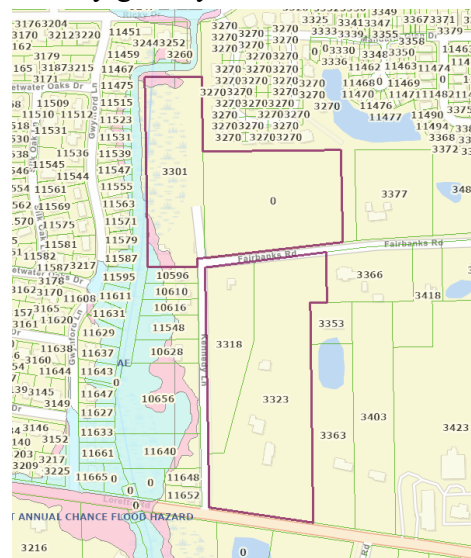
Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Flood Zones

Approximately 0.16 acres of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard and 0.09 of an acre is located in the AE flood zone. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The 0.2 PCT Annual Chance Flood Hazard flood zone is defined as areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards. AE flood zones are areas within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.



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

No. The written description and the site plan of the intended development meets all portions of the City's land use regulations and furthers their intent by providing specific development standards. As previously mentioned, this PUD is to allow churches as a permitted use. If the owners wanted to use the property for a church, they would have to do a Minor Modification to the PUD site plan.

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 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 applicant/owner can pay in full or pay on a permit by permit or lot by lot basis.

MOB # 115253.0 / CRC # 115253.1 / City Dev # 10444.000: Loretto Road Subdivision. Reserved for Concurrency with a \$124,416 mobility fee for 60 single family dwellings.

If project changes to a church use the owner/applicant will need to submit a new mobility application.

This 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

The current Planned Unit Development intends to utilize lands for 60 single family residential units in LDR. 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.

The proposed development of 60 single family dwellings has not changed from the previously approved PUD (2022-0250), as this PUD rezoning is solely to permit churches.

(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 existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: Per the 2045 Comprehensive Plan and the City’s Zoning Code, A residential subdivision development of 25 lots to 99 lots shall pay a recreation and open space fee of two-hundred-fifty (\$250) dollars per lot, or provide at least four hundred thirty-five (435) square feet of useable uplands for each lot (and any fraction thereof), to be dedicated as common area and set aside for active recreation. Furthermore, the site plan shows two retention ponds on the west side of the property.
- The use of existing and proposed landscaping: According to the submitted written description, landscaping will meet Part 12 of the Zoning Code unless otherwise approved by the Planning and Development Department. The applicant will ensure proper maintenance for all common areas, lawns, and landscaping that will be funded by homeowners’ association dues.

(5) External Compatibility

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is achieved by the following:

- The type, number and location of surrounding external uses: The proposed PUD is surrounded by other residential developments ranging from single-family dwellings in RR-Acre to subdivisions meeting the RLD-60 zoning standards. Additionally, north adjacent to the subject property are condominiums. As previously mentioned, west of the subject property are single family dwellings on larger and smaller lots; the addition of the retention ponds will add a buffer in between the subdivisions.
- 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	MDR	RMD-C	Condos
South	LDR	RR-Acre	Vacant & Single-Family Dwellings
East	LDR	RR-Acre	Single-Family Dwellings
West	LDR	RLD-60	Single-Family Dwellings

(6) Intensity of Development

The proposed development is consistent with the LDR functional land use category as a single-family subdivision, with the addition of churches as a permitted use. The PUD is appropriate at this location because the subject property is near other residential districts of varying density and provides a gradual transition amongst the surrounding uses. The addition of churches will not hinder the character of the residential uses.

- The existing residential density and intensity of use of surrounding lands: Much of the surrounding area has a land use of Low Density Residential, and ranges from RLD-60 to RR-Acre, providing a variety of residential density. It is worth mentioning that a few parts of the surrounding area are Medium Density Residential (MDR) land use with condominiums as the use.
- The availability and location of utility services and public facilities and services: The written description states that electric power is available to the site and will be provided by JEA. Water and sewer services will also be provided by JEA with connections for each along Loretto Road. An environmental specialist from the Florida Department of Health commented that proper setbacks should be maintained to existing neighboring systems and systems on the subject property should be properly abandoned as necessary.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: A transportation review of the property was completed and noted that Loretto Road is a collector facility. The portion of Loretto Road between San Jose Boulevard and Aladdin Road is currently operating at 82.5% of capacity and has a maximum daily capacity of 14,742 vehicles per day (vpd) and average daily traffic of 12,165 vpd. With the PUD intending on having 60 single family dwelling units (ITE Code 210), this could produce 566 daily trips. The conditions of the traffic professional are listed at the top of this report and in the written description.

(7) Usable open spaces plazas, recreation areas.

Per the 2045 Comprehensive Plan and the City's Zoning Code, a residential subdivision development of 25 lots to 99 lots shall pay a recreation and open space fee of two-hundred-fifty (\$250) dollars per lot or provide at least four hundred thirty-five (435) square feet of useable uplands for each lot (and any fraction thereof), to be dedicated as common area and set aside for active recreation.

(8) Impact on wetlands

Development which would impact wetlands will be permitted in accordance with local, state, and federal 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.

According to the submitted written description, integrated parking facilities, such as garages (side loading) and driveways to park at least one car – without protruding on the sidewalk, will be provided to support the proposed residential community.

(11) Sidewalks, trails, and bikeways

An internal sidewalk will be constructed along at least one side of the internal roads within the property, subject to the review and approval of the City's traffic engineer and the Planning and Development Department.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on September 19, 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 2023-0600 be **APPROVED with the following exhibits:**

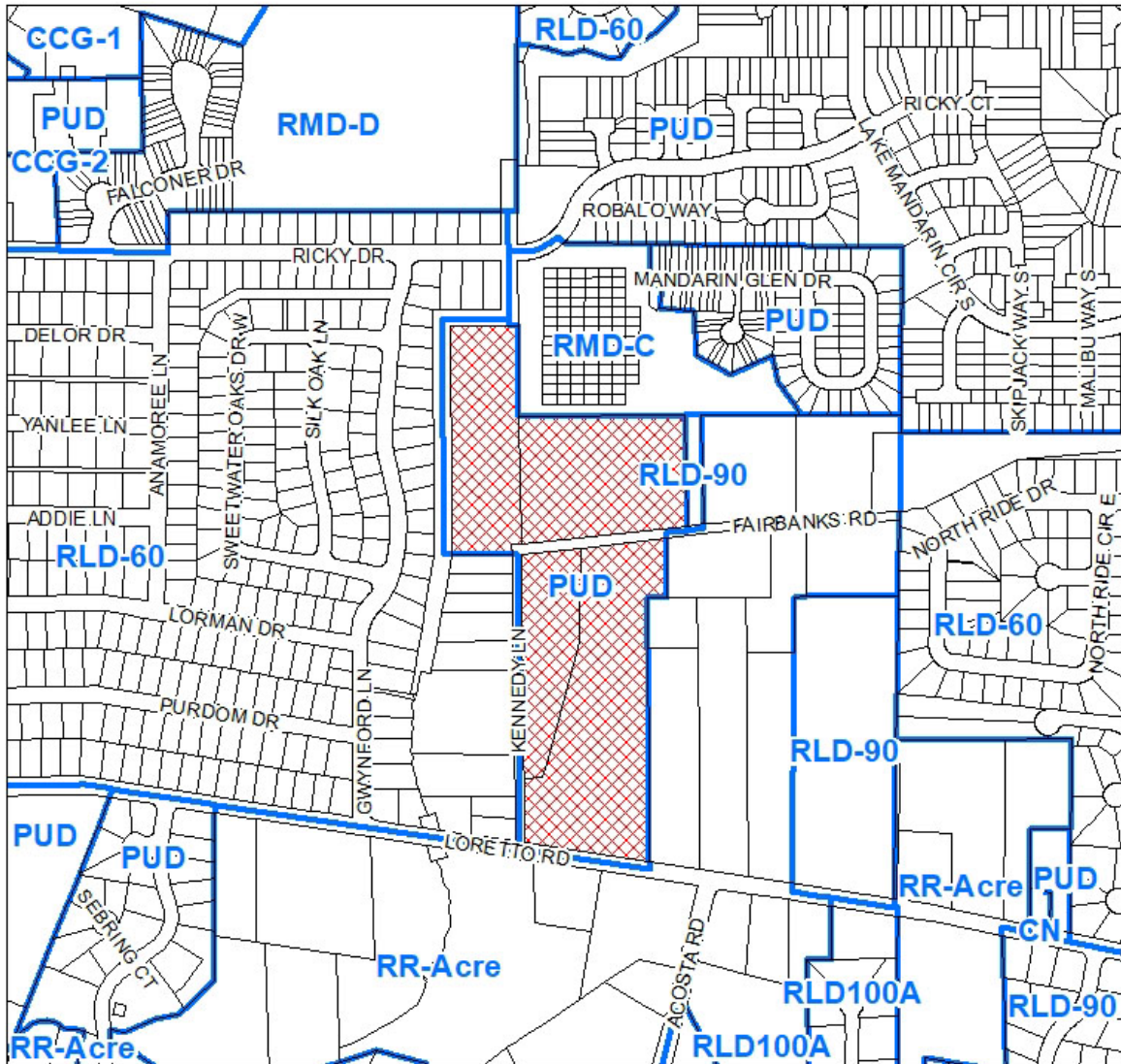
1. The original legal description dated July 13, 2023.
2. The original written description dated July 13, 2023.
3. The original site plan dated July 29, 2022.

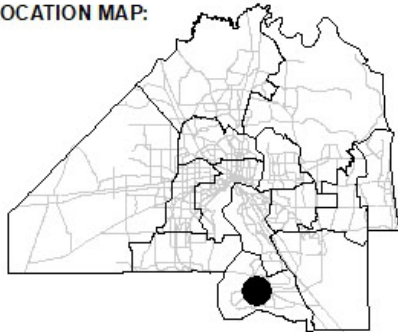
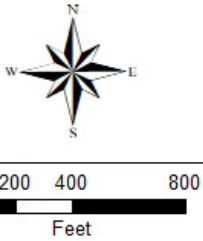


Source: Planning & Development Department, 09/19/2023
Aerial view of the subject property, facing north.



Source: Planning & Development Department, 09/19/2023
View of subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>6</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2023-0600</p>	<p>TRACKING NUMBER</p> <p>T-2023-5085</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map