

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-455 TO
PLANNED UNIT DEVELOPMENT

AUGUST 8, 2019

The Planning and Development Department hereby forwards to the Planning Commission, Land Use and Zoning Committee, and City Council its comments and recommendation regarding Application for Rezoning Ordinance 2019-455 to Planned Unit Development.

Location: 8159 Arlington Expressway; between State
Commerce Road and Arlingwood Avenue

Real Estate Number(s): 136563-0010

Current Zoning District(s): Residential Low Density-60 (RLD-60)
Commercial Community General-1(CCG-1)
Planned Unit Development(PUD 1999-440-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)
Community General Commercial (CGC)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: Greater Arlington/Beaches, District 2

Applicant/Agent: Curtis L. Hart
Hart Resources LLC
8051 Tara Lane
Jacksonville, Florida 32216

Owner: Bryan Samms
Harvest Baptist Church Inc.
1051 Arlington Road
Jacksonville, Florida 32211

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development 2019-455 seeks to rezone approximately 18.42 acres of land from Residential Low Density-60 (RLD-60), Commercial Community General-1 (CCG-1), and Planned Unit Development (PUD 1999-440-E) to PUD. The rezoning to PUD is being sought to redevelop the land with 190 townhomes. Prior to 2005, the site was developed as a shopping center before the purchase by the Baptist church and installation of the roundabout. The roundabout was installed circa 2006 and is part of FDOT's ROW.

There is a companion Large-Scale Land Use Amendment, 2019-454 (L-5351-19A). The proposed LUA is for Community/General Commercial (CGC) and Low Density Residential (LDR) to Medium Density Residential (MDR).

The current PUD, 1999-440-E, at the southwestern corner of the subject property allows all CCG-1 uses by right in addition to the sales and service of all alcoholic beverages in conjunction with a restaurant with permanent outside seating. The PUD also allowed for a reduction from churches within the minimum liquor distance requirement area. The restaurant was never built on this site.

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

(A) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Community/General Commercial (CGC) and 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 2030 Comprehensive Plan. However, there is a companion Application for Large-Scale Land Use Amendment to the Future Land Use Map Series L-5351-19A (Ordinance 2019-454) that seeks to amend the site from the Community/General Commercial (CGC) and Low Density Residential (LDR) land use categories to Medium Density Residential (MDR). Staff is recommending that Application for Large-scale Land Use Amendment to the Future Land Use Map Series L-5351-19A be approved. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

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

Yes. This proposed rezoning to Planned Unit Development is consistent with the 2030 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.

The site will be serviced by JEA as indicated by the JEA availability letter dated, August 22, 2019. JEA also reviewed connection and services on July 23, 2019.

Policy 1.5.14

In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.

As indicated on the site plan, the property in the Category II and III wetlands will not be disturbed with the development of the site.

Objective 3.1

Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

The development of townhomes allows for a more affordable option in an area that is mainly apartments and single-family houses. It also promotes ownership of property at a lower cost.

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.

Prior to 2005, the subject property was developed as a shopping center and then was demolished. The property has been the site of blighting factors since. There have been several CARE reports this year alone for tire dumping, overgrown grass, and trash. The redevelopment of the site will have a positive impact on the area by eliminating these issues.

(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): Community/General Commercial (CGC) and Low Density Residential (LDR). There is a companion Application for Large-scale Land Use Amendment to the Future Land use Map Series L-5351-19A (Ordinance 2019-454) that seeks to amend the portion of land that is within the Community/General Commercial (CGC) and Low Density Residential (LDR) land use category 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. Currently, there is no reservation for the proposed townhome development at the subject property. The agent/owner will need to apply for a Mobility application and a CCAS/CRC application for review/assessment with the CMMSO.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a maximum of 190 townhome units. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis for 2030 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

(4) Internal compatibility

This proposed PUD is consistent with the internal compatibility factors. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The use of existing and proposed landscaping: Proposed landscaping will be consistent with Part 12 of the Zoning Code.
- The treatment of pedestrian ways: Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

- The use of topography, physical environment and other natural features: The Property will be developed in accordance with the permit requirements of the St. Johns River Water Management District, ACOE and all other local, state and federal requirements. The wetlands on this site are not impacted and are excluded from this PUD.

(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:

- Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon: As depicted in the site plan there is buffering of the wetlands on the western and northern portions of the property there is a proposed lake (retention pond) on the western side of the property to separate the wetlands and the townhomes.
- The type, number and location of surrounding external uses: To the north and east there are single family dwellings in the RLD-60 zoning district. To the west there is a school. To the south there is some commercial property separated by the Arlington Expressway. The proposed townhomes are a good transitional use between the single family dwellings and the expressway.
- 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
South			Arlington Expressway
East	LDR	RLD-60	Single Family Dwellings
West	RPI	PBF-2	School

(6) Intensity of Development

The proposed development of townhomes is consistent with the Medium Density Residential (MDR) functional land use category. The PUD is appropriate at this location because the proposed townhomes are a good transitional use between the single family dwellings and the expressway. The property has also been sitting vacant and undeveloped for over a decade. The property has become a blighting factor in the neighborhood and highly visible from the expressway. The redevelopment of this property would be a positive change for the property and the Alderman Park area.

- The location of various proposed uses within the proposed PUD and the degree of compatibility of such uses with each other and with surrounding uses: Townhomes are a lesser intense multi-family development but would provide as a good transition and buffer

from the single-family dwellings to the north and the Arlington Expressway to the south. With its own service road to utilize, the site is good for this type of development without completely fronting a major roadway.

- The existing residential density and intensity of use of surrounding lands: The proposed density is less than the allowed 20 units/acre allowed in the proposed MDR Land Use Category and creates a subdivision that does not disrupt the natural surroundings, rather uses them as an enhancing feature to the development.
- The availability and location of utility services and public facilities and services:

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECTION
Parkwood Heights ES #208	3	32	473	351	74%	75%
Arlington MS #213	3	14	979	740	76%	73%
Terry Parker HS #86	3	18	1,866	1,610	86%	88%

- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The property fronts the Arlington Expressway Service Road, which connects to the Arlington Expressway. There are several bus stops along this roadway.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space and recreation area as defined in Sec. 656.1307 of the Zoning Code.

(8) Impact on wetlands

The Property will be developed in accordance with the permit requirements of the St. Johns River Water Management District, ACOE and all other local, state and federal requirements. The wetlands on this site are not impacted and are excluded from this PUD.

The following was identified by the Community Planning Division of the Planning and Development Department:

Wetlands

Review of City data and applicants’ site plan indicates 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 the general location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 1.89 Acres

General Location(s): Category II wetlands (0.57 of an acre) are located on the western boundary and Category III wetlands (1.32 acres) are along the northern property boundary.

Quality/Functional Value: The wetlands have a high functional value for water filtration attenuation and flood water capacity and has a direct impact on the City's waterways.

Wetlands Impact: According to the site plan wetlands will not be impacted

Conservation / Coastal Management Element

Policy 4.1.3 The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

(a) Encroachment

In Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and

(b) No net loss

Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:

- i. The habitat of fish, wildlife and threatened or endangered species,
- ii. The abundance and diversity of fish, wildlife and threatened or endangered species,
- iii. The food sources of fish and wildlife including those which are threatened or endangered,
- iv. The water quality of the wetland, and
- v. The flood storage and flood conveyance capabilities of the wetland; and

(c) Floodplain protection

Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and

(d) Stormwater quality

In the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:

- i. Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
- ii. Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems

Policy 4.1.5 The permitted uses within Category I and II wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs)

(2) Residential uses, provided the following standards are met:

(a) Density/Dredge and fill

Where lots, except for lots of record as defined in the Future Land Use Element, are located totally within the wetlands:

- i. density shall not exceed one (1) dwelling unit per five (5) acres; and
- ii. buildings shall be clustered together to the maximum extent practicable; and
- iii. dredging or filling shall not exceed 5% of the wetlands on-site; and

(b) Vegetation

For Category I wetlands:

All native vegetation outside the development area is maintained in its natural state

For Category II wetlands:

No more than 10% of the arial extent of the vegetation outside the development area may be altered or removed; and

Best Management Practices: Silviculture

Such activities are conducted in compliance with the provisions of the "Silvicultural Best Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

(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.

A minimum of (2) two parking spaces (380) shall be provided for each unit plus an one additional parking space for every 3 units (84 spaces)

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on July 31, 2019, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2019-455** be **APPROVED with the following exhibits:**

1. The original legal description dated 5/24/2019
2. The original written description dated 5/17/2019
3. The original site plan dated 05/16/2019

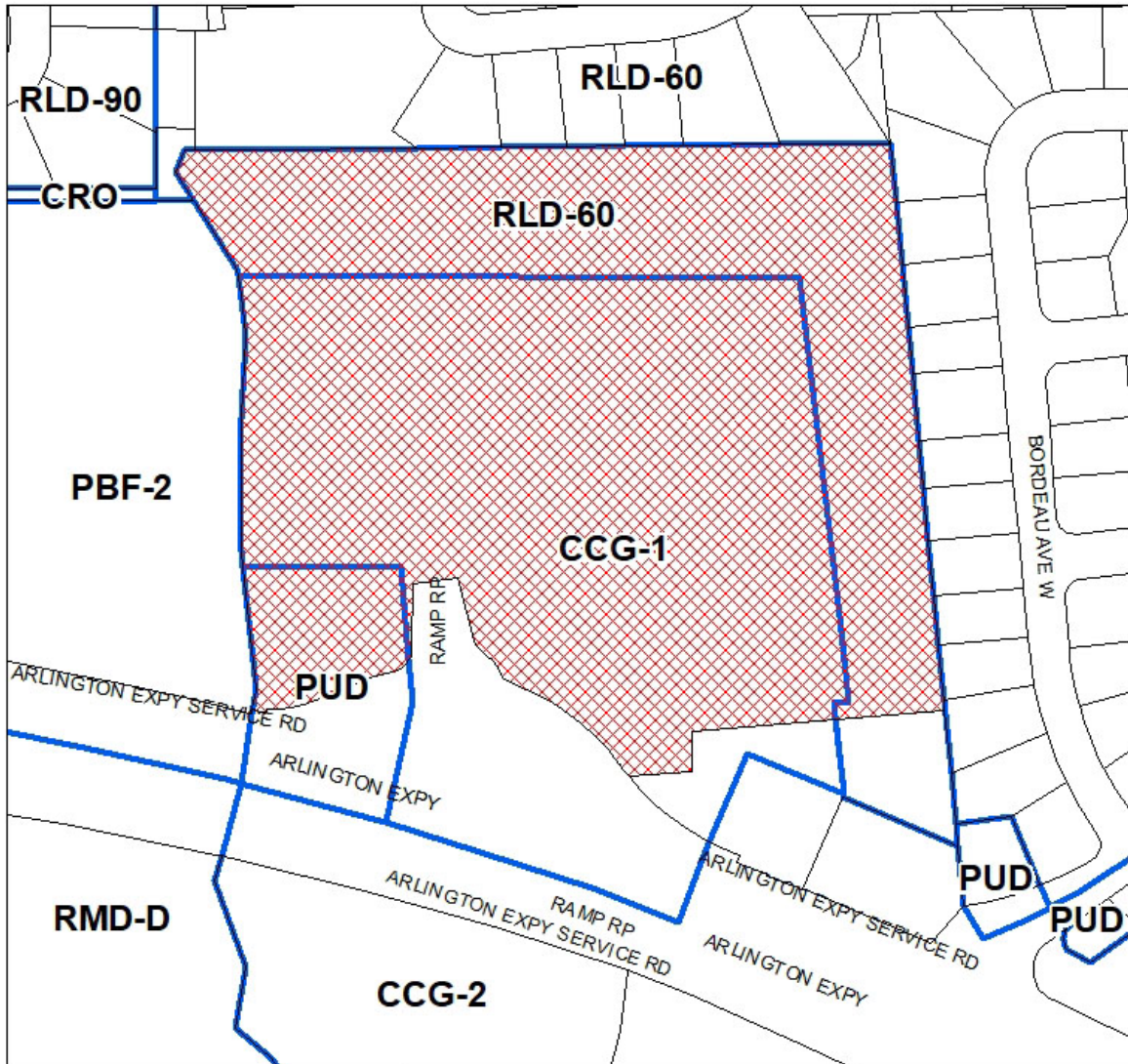
Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-455** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

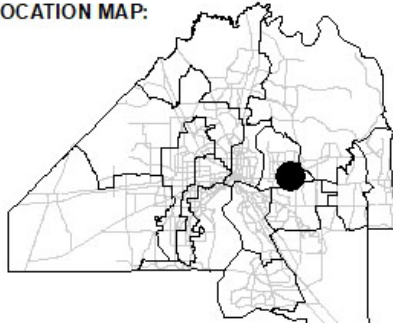
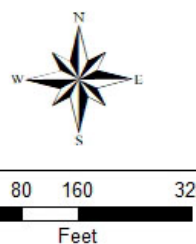
1. Pursuant to Policy 4.1.5 of the Transportation Element of the 2030 Comprehensive Plan, the applicant must provide for the convenient and safe access by and securing of bicycles on site. The bicycle parking must be consistent with the requirements outlined in Part 6 of the Zoning Code.
2. If the entrance is gated, provide a queuing analysis and show that the line of vehicles entering through the gates will not extend into the roundabout at the time of verification of substantial compliance.
3. Internal roads, as shown on the site plan, shall be private roads.
4. Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either: (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.



Subject Property

*Source: COJ, Planning & Development Department
Date: 07/31/2019*



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1, RLD-60, & PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT: 1</p>
<p>ORDINANCE NUMBER ORD-2019-0455</p>	<p>TRACKING NUMBER T-2019-2312</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>