

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0749 TO
PLANNED UNIT DEVELOPMENT

NOVEMBER 21, 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 **2019-0749** to Planned Unit Development.

Location: 0 & 15324 Max Leggett Parkway, 0 Owens Road
Between Max Leggett Parkway and I-95

Real Estate Numbers: 106252-0300, 106252-0400, 106252-0020, 106252-0200, 106249-0000

Current Zoning Districts: Planned Unit Development (PUD)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Light Industrial (LI)
Commercial General Community (CGC)

Proposed Land Use Category: Commercial General Community (CGC)

Planning District: 6-North

Applicant/Agent: Thomas Ingram, Esq.
Sodl and Ingram PLLC
233 E. Bay Street, Suite 1113
Jacksonville, FL 32202

Owner: Dan Morris
Ramco Parkway, LLC and Ramco TRS, LLC
31500 Northwestern Highway, Suite 300
Farmington Hills

Staff Recommendation: **APPROVE W/ CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2019-0749** seeks to rezone approximately 22.51± acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD). The

rezoning seeks to allow mixed use development in the undeveloped, northerly portion of the Parkway Shops project. The proposed development will include up to 300 dwelling units and approximately 100,000 enclosed square footage of nonresidential uses is anticipated. This Planned Unit Development differs from a conventional zoning district by allowing by right uses permitted only by exception in CCG-1.

The current **PUD, 2009-0253-E and MM-18-09**, allows for 375,000 square feet of retail/commercial uses and additional light industrial uses.

There is a companion Land Use Amendment L-5379-19A (**Ordinance 2019-0748**). The proposed LUA seeks to amend a portion of land on the property from Light Industrial (LI) to Community/General Commercial (CGC).

PUD Ord. 2009-0253-E was approved with the following conditions:

- (a) Development shall proceed in accordance with the Development Services Division Memorandum dated March 3, 2009, and the Transportation Planning Section Memorandum dated March 25, 2009, or as otherwise approved by the Planning and Development Department.
- (b) The developer shall provide a JTA approved mass transit 9 stop/shelter within the Duval Road right-of-way.
- (c) Landscaping shall be substantially consistent with the conceptual drawings (Exhibits N1 through N8 and S) and signage shall be substantially consistent with the conceptual drawings (Exhibits Q through Q1) or as otherwise approved by the Planning and Development Department.

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

Condition (a) is not being recommended by Staff for this report as the Transportation Planning has reviewed the proposed development and has issued no comments.

Condition (b) is not being recommended by Staff due to the new PUD not having road frontage along Duval Road.

Condition (c) is not being recommended due to new landscaping requirements being presented within the written description of the new 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.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to the provisions of Section 656.131 (c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

(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 Light Industrial (LI) and Community General Commercial (CGC) functional land use category 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 Semi-Annual Land Use Amendment to the Future Land Use Map Series **L-5379-19C (Ordinance 2019-0748)** that seeks to amend the portion of the site that is within the Light Industrial (LI) land use category to Community General Commercial (CGC). Staff is recommending that Application for Large-scale Land Use Amendment to the Future Land Use Map Series L-5379-19C 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. The proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan and furthers the following goals, objectives and policies contained herein, including:

Policy 1.1.22

Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

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 proposed site is located within the Suburban Area and will be served by both centralized Water and Sewer. The proposed use will be in compliance with Policy 1.2.9.

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 subject property is located along Max Leggett Parkway and if approved the proposed commercial/residential development would allow for the construction of 300 multi-family dwelling and 100,000 square feet of commercial space. The proposed residential and commercial development will protect and preserve the character of the surrounding area.

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 proposed rezoning at the subject site would directly address the projected growth for the surrounding area by providing for a greater variety of housing options for local citizens.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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 property is currently a vacant piece of land that has yet to be utilized and approval of this Rezoning would allow the developers to develop the property with uses that are similar in nature to the existing neighboring properties. Therefore Objective 6.3 would be accomplished by encouraging new development on vacant land within an area already thriving as a commercialized area.

Recreation and Open Space Element

Policy 2.2.2

The City shall require that all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

As demonstrated in the Written Description under Part 9 (7) Usable open spaces, plazas,

recreation areas: the Project shall comply with the requirements of section 656.420(d).

Policy 2.2.5

All multiple-family developments of 100 units or more shall provide 150 square feet of active recreation area per dwelling unit. There may be one area for each 100 units, or the areas may be combined, subject to approval by the Planning and Development.

As demonstrated in the Written Description under Part 9 (7) Usable open spaces, plazas, recreation areas: the Project shall comply with the requirements of section 656.420(d).

Airport Environment Zone

The site is located within the 150 foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of less than 150', 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).

(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 development meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use categories as identified in the Future Land Use Map series (FLUMs): Light Industrial (LI) and Community General Commercial (CGC). There is a companion Application for Large-Scale Land Use Amendment to the Future Land use Map Series L-5379-19C (Ordinance 2019-0748) that seeks to amend the portion of land that is within the Light Industrial (LI) land use category to Community General Commercial (CGC). 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, this proposed development falls within the boundaries of Fair Share # 73489.0: Parkway Shop.

The agent/owner would need to apply for a CCAS/CRC application for the proposed use(s) under the said Fair Share and provide allocation from the owner, since the Fair Share is holding credits for roadway improvements. After all the credits have been utilized under the Fair Share, then the applicant will need to apply for a Mobility application for anything above and beyond what is reserved under the Fair Share (if necessary).

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize the subject parcel for up to 300 dwelling units and approximately 100,000 enclosed square footage of nonresidential uses. Moreover, 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 proposal 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: Any multi-family uses constructed in the Project shall comply with the requirements of section 656.420(d), Jacksonville Ordinance Code (March 2019), with a minimum of 150 square feet of active recreation area per dwelling unit. At least 10 percent (10%) of the Project will be open space, which would include any areas used for storm water retention.

The use of existing and proposed landscaping: The property shall be developed in accordance with Part 12 Landscape Regulations of the Zoning Code.

The treatment of pedestrian ways: The Project will comply with the applicable requirements of the Zoning Code, 2030 Comprehensive Plan, and Land Development Procedures Manual regarding the provision of sidewalks.

The use of topography, physical environment and other natural features: The site was previously prepared for redevelopment which no significant variations in elevations other than those associated with the storm water system. The attached aerial photograph provided in the application shows the layout of the current ponds and vegetation.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using two driveway connections from Max Leggett Parkway for the southernmost portion of the PUD. Access to the northernmost portion of the property will be achieved from Owens Road.

Comments received from Traffic and Engineering on November 1, 2019:

- Since there uses for the particular parcels are not yet defined, traffic studies may be required during site plan reviews.

(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 development is located along Max Leggett Parkway which is a predominately commercialized area with multi-family uses south of Max Leggett Parkway. The commercial and multi-family development of this site will further contribute towards the commercial focus of the region.

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	LI	IL	Vacant
South	CGC	PUD: 2009-0253	Retail Store
East	LI	IL	Manufacturing
West	LI	PUD: 2009-0253	Waste Land

(6) Intensity of Development

The proposed development is consistent with the CGC functional land use category and will be developed a mix of uses including up to 300 dwelling units and approximately 100,000 square feet of nonresidential uses. According to the JEA letter provided with the PUD Application, the site has access to both water and sewer service. The maximum allowable density for the CGC land use category within the Suburban Area is 20 units/acre. The PUD is appropriate at this location with specific reference to the following:

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: The site will consist of a mix of commercial uses and multi-family dwellings keeping within the density requirements and is appropriate at this location due its location and frontage along Max Leggett Parkway.

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, in a memo provided by JEA dated November 7, 2019, Project development to consist of 300 multi-family units and 100,000 sf of commercial use. JEA Availability Number 2019-3323 issued 09/20/19 for the proposed development for 90,000 gpd. Final project design to meet the JEA Design Standards in effect at the time of construction plan approval. Additional service and design elements will be addressed following applicant's construction plan review submittal.

School Capacity:

Based on the Development Standards for impact assessment, the 22.51± acre proposed PUD rezoning has a development potential of 300 multi-family units. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

School concurrency LOS is the methodology used to analyze and to determine whether there is adequate school capacity for each school type (elementary, middle, and high school) to accommodate a proposed development. The LOS (105% of permanent capacity) is based on Concurrency Service Areas (CSAs), not the closest school in the area for elementary, middle and high schools, as well as on other standards set forth in the City of Jacksonville School Concurrency Ordinance.

In evaluating the proposed residential development for school concurrency, the following results were documented:

School Impact Analysis
PUD 2019-0749

Development Potential: 300 Townhomes

School Type	CSA	2018-19 Enrollment/CSA	Current Utilization (%)	New Student/Development	5-Year Utilization (%)	Available Seats
Elementary	7	3,192	89%	50	84%	138
Middle	1	8,312	83%	22	88%	349
High	7	2,795	92%	28	75%	611
Total New Students				100		

Total Student Generation Yield: 0.333

Elementary: 0.167

Middle: 0.073

High: 0.093

The analysis of the proposed residential development does not reveal any deficiency for school capacity within the CSA.

Public School Facilities Element

Policy 2.3.2

The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate with adequate school capacity.

Policy 2.3.3

The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

Objective 3.2

Adopted Level of Service (LOS) Standards

Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long-range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

Policy 3.1.1

The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City’s Capital Improvement Plan.

Supplemental School Information:

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance.

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/ Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECTION
Oceanway ES #270	7	50	680	632	93%	98%
Oceanway MS #62	1	22	1,009	1,074	106%	104%
First Coast HS #265	7	28	2,212	2,163	98%	101%

- Does not include ESE & room exclusions
- Analysis based on a **maximum** 300 dwelling units – 2019-0749

(7) Usable open spaces plazas, recreation areas.

Any multi-family uses constructed in the Project shall comply with the requirements of section 656.420(d), Jacksonville Ordinance Code (March 2019), with a minimum of 150 square feet of

active recreation area per dwelling unit. At least 10 percent (10%) of the Project will be open space, which would include any areas used for storm water retention.

(8) Impact on wetlands

Review of City data indicates the potential 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.

Flood Zones

Approximately 2.4 acres of the subject site is located within the AE flood zone. This area is located in the northwest corner of the property, along Owens Road. 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 AE flood zone is defined as an area 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.

Wetlands Characteristics:

Approximate Size:	2.96 Acres
General Location(s):	Along the western property line, near the middle of the property.
Quality/Functional Value:	The wetland has a low functional value for water filtration attenuation and flood water storage capacity due to its isolation, size and/or the lowering of the hydro-period due to nearby site grading or drainage/retention improvements. In addition the wetland has no clear or significant impact on the City's waterways.
Soil Types/ Characteristics:	66- Surrency Loamy Fine Sand The Surrency series consists of nearly level, very poorly drained soils. In areas in depressions, the high

water table generally is at or above the soil surface for very long periods.

Wetland Category: Category III

Consistency of Permitted Uses: Any development within the wetlands must meet the performance standards in CCME policies 4.1.3, 4.1.4, and 4.1.6 below.

Environmental Resource Permit (ERP): Permit # 118291-3

Wetlands Impact: unable to determine

Associated Impacts: none

For more information regarding Conservation/Coastal Management Element, please see the attached memo from Community Planning Division.

(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 generally developed in accordance with Part 6 of the Zoning Code. However, the applicant has requested a specialized set of parking standards for multi-family dwellings that allows for a minimum 1.7 spaces per dwelling unit rather than a parking number generated by number of bedrooms outlined in 656.604(a)(2). Additionally, there shall be no maximum parking ratio for the uses allowed within this PUD.

(11) Sidewalks, trails, and bikeways

The Project will comply with the applicable requirements of the Zoning Code, 2030 Comprehensive Plan, and Land Development Procedures Manual regarding the provision of sidewalks.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **October 30, 2019** by the Planning and Development Department, the 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 Ordinance 2019-0749 be **APPROVED with the following exhibits:**

- The original legal description dated September 17, 2019**
- The original written description dated September 17, 2019**
- The original site plan dated August 12, 2019**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2019-0749 be **APPROVED W/ CONDITIONS.**

- 1. A detailed site plan meeting the requirements of section 656.341(c)(2)(i) shall be approved through the minor modification process set forth in Section 656.341(f)(2) of the Zoning Code.**



Aerial View

Source: JaxGIS



View of Subject Property

*Source: Planning & Development Dept.
Date: October 30, 2019*



View of property to the South

Source: Planning & Development Dept.

Date: October 30, 2019



View of Subject Property along Owens Road

Source: Planning & Development Dept.

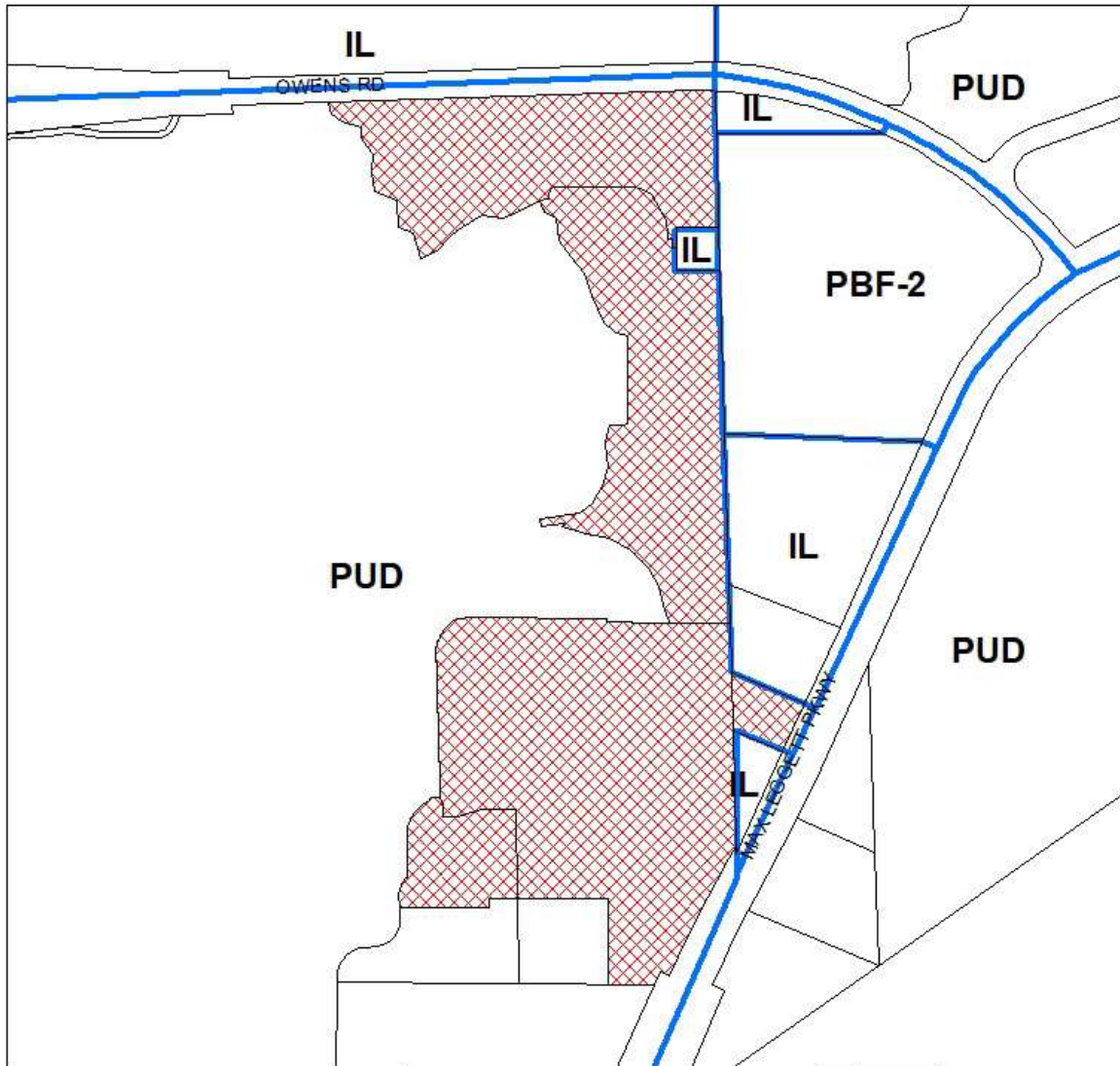
Date: October 30, 2019



View of Property to the East

Source: Planning & Development Dept.

Date: October 30, 2019



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>	<p>COUNCIL DISTRICT: 7</p>
<p>ORDINANCE NUMBER ORD-2019-0749</p>	<p>TRACKING NUMBER T-2019-2489</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>