



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
214 N. Hogan St., Suite 300
Jacksonville, FL 32202
(904) 630-CITY
Jacksonville.gov

October 3, 2024

The Honorable Randy White
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.: 2024-679 **Application for: Butler Creek PUD**

Dear Honorable Council President White, 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 Conditions**

Planning Commission Recommendation: **Approve with Conditions**

This rezoning is subject to the following exhibits:

- The original legal description dated July 16, 2024.
- The original written description dated July 16, 2024.
- The original site plan dated May 5, 2024.

Recommended Planning Commission Conditions to the Ordinance:

Planning Commission conditions:

1. A traffic study shall be provided at Civil Site Plan Review. The traffic study shall meet the requirements of the Land Development Procedures Manual Section 1.1.11 (January 2024).
2. Written Description Section III(B)(1)(a) shall read "Twenty-two (22) feet from face of garage to back of curb and fifteen (15) feet from building face to back of sidewalk or back of curb. If

there is a sidewalk it shall be a minimum of 20 feet from back of sidewalk to face of garage.”

3. If the roads are gated, the gates shall be located in such a manner so as to not block Salisbury Rd and a turnaround shall be provided prior to the gate.
4. An ADA compliant sidewalk shall be provided along the entire frontage of Salisbury Rd.

Planning Department conditions:

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2. Written Description Section III(B)(1)(a) shall read “Twenty-two (22) feet from face of garage to back of curb and fifteen (15) feet from building face to back of sidewalk or back of curb. If there is a sidewalk it shall be a minimum of 20 feet from back of sidewalk to face of garage.”
3. If the roads are gated, the gates shall be located in such a manner so as to not block Salisbury Rd and a turnaround shall be provided prior to the gate.
4. An ADA compliant sidewalk shall be provided along the entire frontage of Salisbury Rd.

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

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: **5-0**

Charles Garrison, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mark McGowan, Secretary	Aye
Lamonte Carter	Absent
Amy Fu	Abstain
Julius Harden	Aye
Mon'e Holder	Aye
Ali Marar	Absent
Jack Meeks	Absent

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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Jacksonville, FL 32202

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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING 2024-679 TO PLANNED UNIT DEVELOPMENT

OCTOBER 3, 2024

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 **2024-679** to Planned Unit Development.

Location: 7407, 7447 Salisbury Road south of Belfort Road and east of Interstate 95

Real Estate Number: 152577-0010, 152577-0020, 152577-0050, 152578-0010

Current Zoning District: Planned Unit Development (PUD 2007-512-E)
Planned Unit Development (PUD 2020-605-E)
Planned Unit Development (PUD 2023-594-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Business Park (BP)

Planning District: Southeast, District 3

City Council District: District 11

Applicant/Agent: Wyman R. Duggan, Esq.
Rogers Towers, PA.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Butler Creek Owner, LLC
1728 Coral Way, Suite 500 B
Miami, Florida 33145

Orion Investments Enterprise, LLC
7447 Salisbury Road
Jacksonville, Florida 32256

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2024-679** seeks to rezone approximately 72.00 acres of land from Planned Unit Development (PUD) and Planned Unit Development (PUD) to Planned Unit Development. The rezoning to PUD is being sought for the purpose of developing a multi-family residential project. There will be a maximum of 400 multi-family units and a maximum of 248 townhomes. The owner is proposing two site plans, one which includes 400 multi-family units and 248 townhomes, the other will contain 648 townhomes. Each development will have its own recreation area.

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.

(1) 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 Business Park (BP) 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 2045 Comprehensive Plan. The BP functional land use category permits housing developments in a gross density range of up to forty (40) dwelling units per acre when full urban services are available to the site. The proposed PUD proposes a gross density of 9 dwelling units to the acre and will have full urban services available to the site. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2045 Comprehensive Plan pursuant to Chapter 650 Comprehensive planning for future development of the Ordinance Code.

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

The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

(3) 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, comply with 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 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): Business Park (BP). This proposed rezoning to Planned Unit Development is consistent with the 2045 Comprehensive Plan including the following goals, objectives and policies:

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.

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.

Policy 3.1.5 The City shall provide opportunities for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

(2) Consistency with the Concurrency Management System

Pursuant to the provisions of Chapter 655 Concurrency Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency Management System Office (CMSO) prior to development approvals. The City Development Number is 7826.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a multi-family development. 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 with specific reference to the following:

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The site plan indicates 4.7 acres of open space and recreation will be provided.

The use and variety of building setback lines, separations, and buffering: The Written Description states the 22 foot front setback will be measured from back of curb. It should also include the phrase “and 22 feet from the outside edge of sidewalk to the garage face where sidewalks are located on that side of the street.” **Staff is recommending this be included as a condition to ensure that adequate parking spaces exists for this dense townhome project.**

The use of existing and proposed landscaping: The applicant’s site plan indicates compliance with Part 12 of the Zoning Code.

Traffic and pedestrian circulation patterns: Although not depicted on the site plan, the applicant proposes an interior pedestrian circulation pattern which is subject to the review and approval of the Planning and Development Department. The traffic pattern as shown on the site plan is subject to the review and approval of the Traffic Engineering Division.

(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 in an area where business/office parks and industrial developments are the predominate uses. Multi-family development at this location complements the existing various office and commercial uses by increasing the housing options for those that are employed in the immediate area.

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

<i>Adjacent Property</i>	<i>Land Use Category</i>	<i>Zoning District</i>	<i>Current Use(s)</i>
North	BP	IBP	Business Park
South	MDR	PUD (23-594)	Contractor/Undeveloped
East	MDR	RMD-A	Undeveloped, wetlands
West	BP	IBP	Warehouse, distribution

(6) Intensity of Development

The proposed development is consistent with the BP functional land use category and is a multi-family development, which is not to exceed 648 dwelling units. 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 proposed use within the PUD are compatible with open space, recreation and multi-family uses. The surrounding uses are business park and light industrial type uses.

The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD: The plan of development indicates compliance with City Code buffer and landscape requirements.

The existing residential density and intensity of use of surrounding lands: Property to the east of the proposed development is zoned RMD-A and is currently undeveloped.

The availability of public schools: Due to the class size amendment, the capacity of Duval County schools is currently under review. The School Board, with the support of the planning and Development Department through the Joint Planning Committee of the Jacksonville City Council and the Duval County School Board, is working on addressing enrollment and capacity issues in several ways, including site acquisition. In addition, the School Board has options to address student enrollment at specific schools including boundary adjustment, changes in special assignments and adjustments to magnet programs. A review of the proposed development by the Duval County School District indicates there is adequate capacity at Beauclerc ES, South Side MS and Englewood HS to accommodate the 99 students generated by the development.

The amount and size of open spaces, plazas, common areas and recreation areas: The site plan indicates an amenity center, open lawns and a large conservation area.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The site has a primary access to Salisbury Road, which is classified as a local road. The site plan shows an access to the south to the Belfort Creek PUD (23-594) which was approved for 648 multi-family and townhome units. The Traffic Engineering Division offers the following comments:

- A traffic study shall be provided at Civil Site Plan Review. The traffic study shall meet the requirements of the Land Development Procedures Manual Section 1.1.11 (January 2024).
- Written Description Section III(B)(1)(a) states “Twenty-two (22) feet from face of garage to back of curb and fifteen (15) feet from building face to back of sidewalk or back of curb”. If there is a sidewalk it shall be a minimum of 20’ from back of sidewalk to face of garage.
- If the roads will be gated, the gates shall be located in such a manner so as to not block Salisbury Rd and a turnaround shall be provided prior to the gate.
- An ADA compliant sidewalk shall be provided along the entire frontage of Salisbury Rd.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space and recreation area and includes a recreation center with a swimming pool and a clubhouse. The proposed development will comply with the required 150 square feet of recreation area per residential unit.

(8) Impact on wetlands

Surveying of a 1995 Geographical Information Systems shape file identified wetlands on the site. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

A Protected Species Assessment dated March 2024 prepared by Peacock Consulting Group, LLC found that no endangered, threatened, or species of special concern were observed.

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

The site will be developed in accordance with Part 6 of the Zoning Code regarding parking and loading.

(11) Sidewalks, trails, and bikeways

The site plan show a sidewalk from the frontage on Salisbury Road into the development. The written description states that no sidewalk will be constructed along Salisbury Road as there are no sidewalks along Salisbury Road. However, that is not the case (see photo in report). A sidewalk stops at the northern property line. Staff recommends that a sidewalk be constructed along the frontage of the proposed development.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on September 30, 2024, 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 **2024-679** be **APPROVED** with the following exhibits:

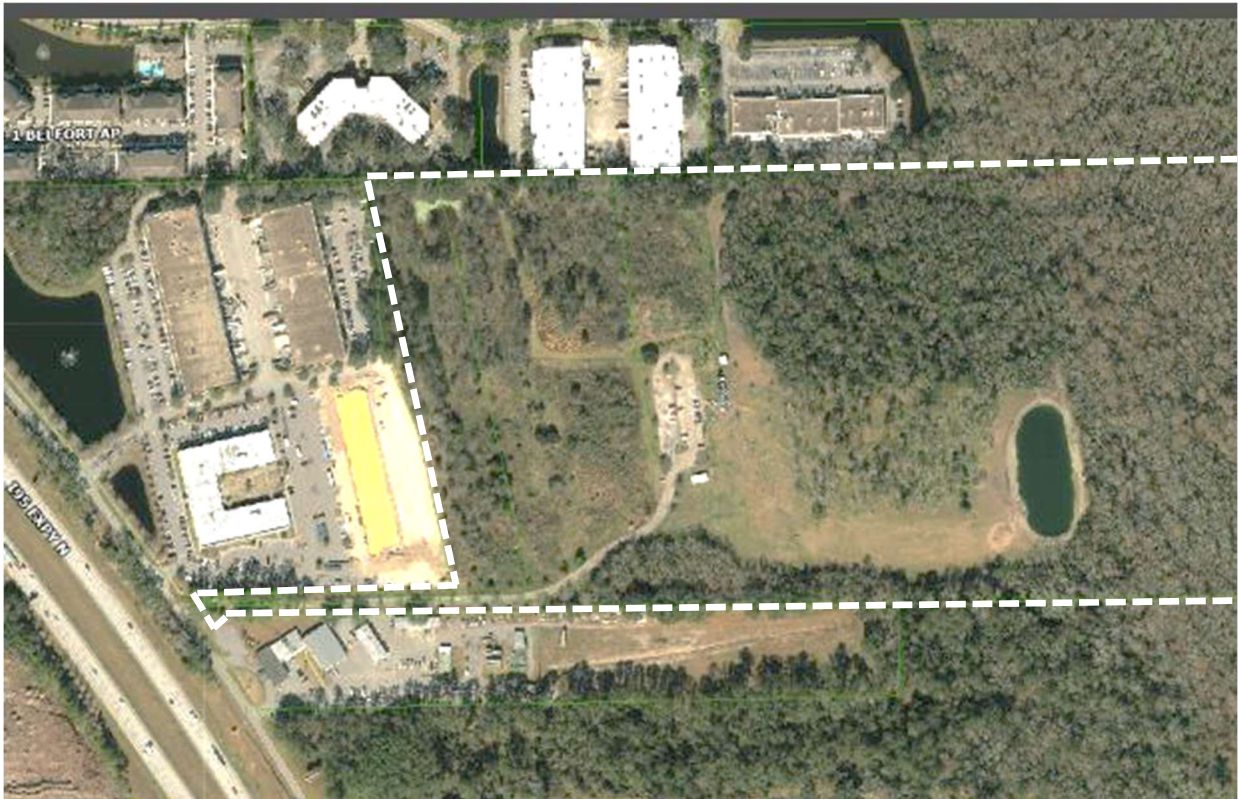
1. The original legal description dated July 16, 2024.
2. The original written description dated July 16, 2024.
3. The original site plan dated May 5, 2024.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2024-670** be **APPROVED** **subject to the following condition, which may only be changed through a rezoning:**

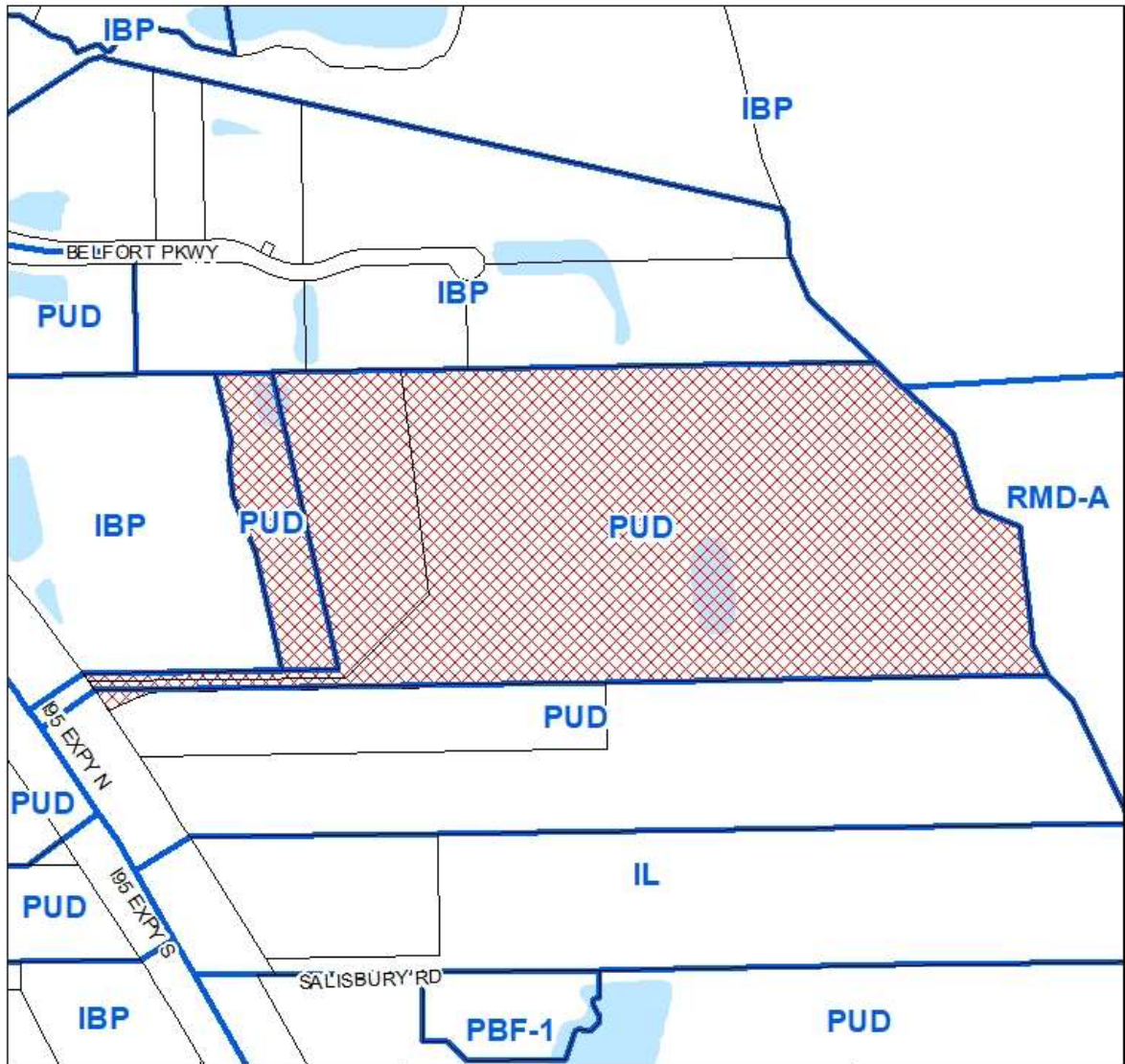
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3. If the roads are gated, the gates shall be located in such a manner so as to not block Salisbury Rd and a turnaround shall be provided prior to the gate.
4. An ADA compliant sidewalk shall be provided along the entire frontage of Salisbury Rd.



View of existing sidewalk terminating at proposed development.



Aerial view of subject property

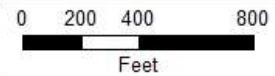
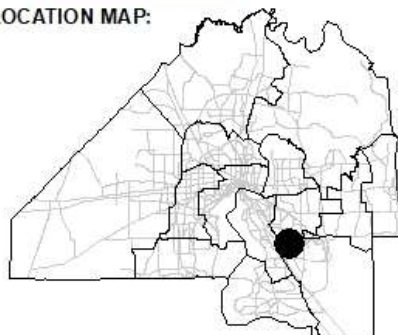


REQUEST SOUGHT:

FROM: PUD

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

11

TRACKING NUMBER

T-2024-5540

**EXHIBIT 2
PAGE 1 OF 1**