

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-0689 TO**  
**PLANNED UNIT DEVELOPMENT**

**OCTOBER 17, 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 **2019-0689** to Planned Unit Development.

***Location:*** 5719 Moncrief Road West  
Between Moncrief-Dinsmore Road and New Kings Road

***Real Estate Number:*** 021561-0000

***Current Zoning Districts:*** Residential Low Density-60 (RLD-60)

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

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

***Planning District:*** 5-Northwest

***Applicant/Owner:*** Carlos Jerome McGhee, Sr. and Fadia Lester McGhee  
McGhee Heartfelt Wholeness Center  
P.O. Box 12378  
Jacksonville, FL 32209

***Staff Recommendation:*** **APPROVE WITH CONDITIONS**

**GENERAL INFORMATION**

Application for Planned Unit Development **2019-0689** seeks to rezone approximately 0.20± acres of land from Residential Low Density-60 to PUD. The rezoning to a PUD is being sought to permit for a community residential home with a maximum of 16 residents. McGhee Heartfelt Wholeness Center, the existing community residential home, was approved for a maximum of six (6) residents via Certificate of Use (COU) 3441.0 on June 24, 2009.

The need for the PUD arises out of the current zoning district's limitations on the number of allowed residents in a community residential home and it's strict adherence to the performance standards outlined in Part 4 of the Zoning Code. Currently, RLD-60 allows for a maximum of six (6) residents. The performance standards further restrict community residential homes to being

located no closer than 1,000 feet from another community residential home. As such, this PUD would remove this 1,000-foot distance requirement and increase the number of allowed residents to 16 residents. For more information, please see the attached Written Description (Exhibit 3).

Staff has also reviewed the definition of a community residential homes in accordance with Florida Statutes § 419.001(1)(a) and has determined the following:

*“Community residential home” means a dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Families or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents.”*

**Therefore, in order to comply with the State’s standard for community residential homes, Staff recommends the number of residents be limited to 14 residents.**

#### **KingSoutel CRA**

The rezoning site is also located within the boundaries of the KingSoutel CRA, and was thereby forwarded to the Office of Economic Development (OED) for review. As of Thursday, October 10, 2019, no comments specifically related to the development have been received from OED.

#### **Sherwood Forest Lincoln Villas Neighborhood Action Plan**

The subject site is located in the Sherwood Forest Lincoln Villas Neighborhood Action Plan area. According to the plan, it is important that public water and sewer be available for development. The application site’s proposal is to increase the number of beds from six to sixteen. The subject site has access to public since the main water line abuts the property. However, the closest proximity of the sewer main is located 575 feet to the north.

#### **Northwest Jacksonville Vision Plan**

The subject property is also located within the boundaries of the Northwest Jacksonville Vision Plan, in the area identified as the Ribault River traditional building area. According to the Plan, the focus is to strengthen existing neighborhoods through revitalization and build on the character of older urban communities. The development of this property will help address that issue because it will allow reuse of a building in order to develop an assisted living facility which offers additional housing options to the population.

### **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 Low Density Residential (LDR) 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.

According to the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Urban Development Area is intended to provide for low density residential development. The maximum gross density is up to seven dwelling units per acre when full urban services are available to the site. Assisted living facilities are permitted as a secondary use providing it is located on an arterial road and within three miles of a hospital.

According to the JEA letter dated June 16, 2018, the water main abuts the property. However the sewer main for hook-up is located 575 feet north of the subject site and located at the intersection of Moncrief-Dinsmore Road and Redpoll Avenue.

Staff finds the proposed rezoning to be consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Zoning Code.

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

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 (FLUE):**

**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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

The subject property is located in the Urban Area and according to the attached updated JEA Availability Letter, **2018-1492**, there are currently no JEA sewer connections and it appears this site is served by a septic system. The proposed project design shall meet the JEA Design Standards in order to accommodate an additional 1,600 gpd.

**Policy 4.1.8B**

The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

The subject property is also located within the boundaries of the Northwest Jacksonville Vision Plan, in the area identified as the Ribault River traditional building area. According to the Plan, the focus is to strengthen existing neighborhoods through revitalization and build on the character of older urban communities. The development of this property will help address that issue because it will allow reuse of a building in order to develop an assisted living facility which offers additional housing options to the population.

**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 proposed rezoning to a PUD would allow for an underutilized residential parcel with existing infrastructure and utilities to be converted into nonresidential space for the adjacent property. The PUD will directly address the needs of City residents by accommodating for transitional housing for returning citizens.

***(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 category as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR). Nonetheless, Staff finds the proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, as previously 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.

*(3) Allocation of residential land use*

This proposed Planned Unit Development intends to utilize the subject parcel for an educational classroom space. 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 with specific reference to the following:

**The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas:** Although recreation and open space is not required for institutional uses, the applicant has stated the intention to preserve the existing trees and open space on the subject property, per the site plan.

**The use of existing and proposed landscaping:** The subject site will be developed in accordance with Part 12 of the Zoning Code and Article 25 of Charter of the City of Jacksonville.

**The treatment of pedestrian ways:** Pursuant to the provisions outlined in the 2030 Comprehensive Plan, sidewalks will be provided.

**Traffic and pedestrian circulation patterns:** As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Moncrief-Dinsmore Road.

Moncrief Road, from Soutel Drive to New Kings Road, is the directly accessed functionally classified roadway. Moncrief Road is a 2-lane undivided collector in this vicinity and is currently operating at 28.32% of capacity. This Moncrief Road segment has a maximum daily capacity of 17,766 vpd and a 2017 daily traffic volume of 4,750 vpd.

This development is for 16 beds of ITE Code 254 Assisted Living, which would generate 42 vpd.

*(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:** Although being developed for institutional use, the subject site will preserve the residential character of the area by not expanding the footprint of the existing structure. Nonetheless, the adjacent uses, zoning and land use categories are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Property Use</b>
North	RPI	RLD-60	Undeveloped Land
South	LDR	CCG-2	Undeveloped Land
East	LDR	RLD-60	Undeveloped Land
West	LDR	RLD-60	Single-Family Dwelling

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

The proposed development is consistent with the LDR functional land use category with specific reference to the following:

**The availability and location of utility services and public facilities and services:** The subject site will be serviced by JEA for city water only. Additionally, in a memo provided by JEA dated October 3, 2019, there are currently no JEA sewer connections and it appears this site is served by a septic system. The proposed project design shall meet the JEA Design Standards in effect at the time of construction plan submittal in order to accommodate an additional 1,600 gpd.

**The amount and size of open spaces, plazas, common areas and recreation areas:** Although recreation and open space is not required for institutional uses, the applicant has stated the intention to preserve the existing trees and open space on the subject property, per the site plan.

**The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:** The subject property will have direct access to the proposed development via Moncrief-Dinsmore Road. Moreover, the Traffic Engineer has reviewed the application and has issued no comments. The Transportation Planning Division has also reviewed the application for consistency with the Transportation Element of the 2030 Comprehensive Plan. **Staff supports the Division's findings and forwards to you the following:**

- This development is subject to mobility fee review. 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. All comments made by Transportation Planning Division or Traffic Engineering Division are to be included in the staff report unless otherwise waived in writing by the Chief of Transportation Planning Division or waived by Planning Commission, LUZ Committee, or City Council.

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

The project will be developed with the required amount of open space as applicable in accordance with the Recreation and Open Space Element of the 2030 Comprehensive Plan.

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

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site. However, the written description states “Any development impacting wetlands will be permitted pursuant to local, state and federal permitting 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.***

Given the widespread availability of nearby public transportation and the institutional nature of the proposed use, the applicant is requesting a reduction in the required one (1) space for each four (4) beds requirement. Since the residents will not have cars and will instead depend on public transportation, Staff finds the strict letter of the conventional code unnecessary.

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

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

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on **October 3, 2019** by the Planning and Development Department, the Notice of Public Hearing signs **were not** posted. However, the applicant promptly followed up and reposted the signs later that day.



Source: Applicant, 10/3/2019

**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2019-0689** be **APPROVED with the following exhibits:**

- The original legal description dated June 27, 2019**
- The original written description dated August 28, 2019**
- The original site plan dated August 27, 2018**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2019-0689** be **APPROVED WITH CONDITIONS.**

- 1. The existing shed located on the subject property shall either be removed or relocated within the required setbacks for accessory structures as outlined in the Written Description dated August 28, 2019.**
- 2. In accordance with Section 656.153 of the Zoning Code (Ordinance 2005-1355-E), the applicant shall re-apply for, and obtain, a valid Certificate of Use from the Planning and Development Department.**
- 3. Pursuant to F.S. § 419.001(1)(a), the number of residents shall be limited to 14 residents.**

**Figure A:**



Source: Planning & Development Dept, 10/3/19

Aerial view of the subject site and parcel, facing north.

**Figure B:**



Source: Planning & Development Dept, 10/3/19

View of Moncrief Road West and the subject property, facing north.

**Figure C:**



**Source: Planning & Development Dept, 10/3/19**

**View of Moncrief-Dinsmore Road and the subject property, facing west.**

**Figure D:**



**Source: Planning & Development Dept, 10/3/19**

**View of the encroaching shed, which Staff recommends removing/relocating, facing west.**

