

REVISED REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2022-0713 TO

PLANNED UNIT DEVELOPMENT

NOVEMBER 15, 2022

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 2022-0713 to Planned Unit Development.

Location: 8300 Merrill Road

Real Estate Numbers: 120735-0040

Current Zoning Districts: Public Buildings and Facilities-2 (PBF-2)
Residential Medium Density-A (RMD-A)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Medium Density Residential (MDR)

Planning District: Greater Arlington/Beaches, District 2

Applicant/Agent: Steve Diebenow, Esq.
One Independent Drive, STE. 1200
Jacksonville, Florida 32202

Owner: Lakeview Christian Fellowship, Inc.
8300 Merrill Road
Jacksonville, FL 32277

Staff Recommendation: **APPROVE**

REVISIONS

Since the LUZ meeting on Tuesday November 1, 2022, the Planning and Development Department has received the following additional documents and has updated the staff report:

- A revised written description dated November 10, 2022.
- A revised site plan dated November 10, 2022.
- An email dated November 11, 2022 from the Renew Arlington Design Review (RADR) staff regarding the revised written description and site plan.

GENERAL INFORMATION

Application for Planned Unit Development 2022-0713 seeks to rezone approximately 12.16± acres of land from Public Buildings and Facilities-2 (PBF-2)/Residential Medium Density-A (RMD-A) to Planned Unit Development (PUD). The rezoning to PUD is being sought to permit the development of affordable housing as defined under Section 420.0004, Florida Statutes. Applicant seeks to convert the property from the existing church use to allow for the development of affordable workforce housing for individuals or families whose total annual adjusted gross household income does not exceed one hundred percent (100%) (Or as adjusted by the Florida Housing Finance Corporation) of the median annual adjusted gross income (“AMI”) for households within Duval County. This Revised Staff Report dated November 1, 2022 has been issued due to the Planning & Development Department receiving updated Written Description and Site Plan.

The proposed PUD adopts provisions and site planning to permit multi-family affordable workforce housing. This PUD sets a density limitation of two hundred forty (240) units and requires those units to be offered to residents earning one hundred percent (100%) AMI or less. In doing so, this PUD completely adopts the Renew Arlington Zoning Overlay and includes site plan designs specifically catering to the Overlay, including activating the storm water pond and providing pedestrian-oriented elements.

The subject property is located within the Greater Arlington community and the Renew Arlington Overlay within a Catalyst Character Area. The Catalyst Character Area is comprised of unique parcels that are prime locations for redevelopment, serving as an opportunity to promote the CRA's revitalization goals of creating walkable, mixed use areas (vertical and/or horizontal integration) to enhance the community. The proposed PUD utilizes site layout and design techniques consistent with the intent of the Renew Arlington Zoning Overlay. Site layout design guideline require that buildings be massed against the primary arterial or collector roadways to create a street wall effect. The Revised Site Plan dated November 10, 2022 shows two multi-family buildings placed within ten (10) feet of the Merrill Road frontage, framing the property and screening sections of parking from traffic. The arrangement of the buildings, clubhouse and drive aisles form internal blocks and street grid patterns with pedestrian sidewalks, walkways and pond activation.

An Economic Agreement (**Ordinance 2022-0784**) between the City of Jacksonville and the Vestcor Companies for financial assistance of the proposed development has been filed for consideration of approval with City Council. The City is proposing to offer a \$5 million, 1% loan, with interest-only payments for 17 years, followed by a lump-sum balloon payment at maturity, to help finance the \$56.5 million project. The Office of Economic Development has considered the company's request and has determined that the development loan will enable the company to redevelop the property and complete the Project as further described in the agreement.

RENEW ARLINGTON DESIGN REVIEW (RADR) STAFF COMMENTS

On November 10, 2022 the Renew Arlington Design Review (RADR) team reviewed the most recent Written Description and Site Plan dated November 10, 2022 and stated that through

previous meetings and the November 10th revisions the issues and concerns of the RADR team have been appropriately addressed.

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 Medium Density Residential (MDR) 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. According to the Future Land Use Element (FLUE), MDR in the Urban Area is intended to provide compact medium density residential development. Commercial retail sales and service establishments are limited to sites that are located at the intersection of roads classified as collectors or higher on the Functional Highway Classification Map and no commercial uses are proposed in the PUD. The PUD proposes a total of two-hundred-forty (240) units for affordable workforce housing. **Except for the permissible uses by exception item numbers 3 (borrow pits) and 9 (commercial retail sales and service), the proposed use and the allowed uses within the written description of the PUD are consistent with the MDR land use category.**

The MDR land use category Urban Area development characteristic standard intends to promote a more compact, pedestrian-friendly environment by requiring the location of off-street parking behind or to the side of buildings to the greatest extent possible. The revised site plan dated October 24, 2022, places two of the proposed multi-family buildings along Merrill Road, a minor arterial road. Proposed parking areas are located behind the buildings fronting along Merrill Road in a manner consistent with the intent of the MDR Urban Development Area land use category.

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 1.1.10

Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

The subject property is located on the south side of Merrill Road which is developed with a mix of residential including single-family subdivisions, multi-family apartment complexes and condominium communities. Approval of the PUD request would allow for the development of 240 multi-family units which would support Policy 1.1.10 and the gradual transition of densities along Merrill Road.

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 subject site will be serviced by JEA for city water and sewer. There is an existing 8-inch or 16-inch water main along Merrill Road and existing 18-inch force main along Merrill Road.

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

Policy 3.1.6

The City shall provide 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.

The project is for the development of 240 unit mixed-income apartment community with a mix of 1-, 2-, and 3-bedroom units, with 132 units set aside for households that are at or below 100% of the area median income (AMI), 97 units for households that are at or below 60% AMI, and 11 units for households at or below 33% AMI. The proposed development will allow for a greater variety of dwelling options, which directly addresses the housing needs of City residents and therefore in compliance with Policy 3.1.6.

Airport Environment Zone

The site is located within the 150-foot Height and Hazard Zone for the Craig Municipal Airport. Zoning will limit development to a maximum height of less than 150 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).

Objective 2.5

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Ord. 2022-0049 2021B Series Text Amendment

Policy 3.1.28.

The City Council may approve the development of permanent affordable housing contingent upon funding from the Florida Housing Finance Corporation, the Jacksonville Housing Finance Authority, or the U.S. Department of Housing and Urban Development HOME Investment Partnership annual grant to the City of Jacksonville on any parcel designated on the Future Land Use Map and the Zoning Atlas for residential, commercial or industrial use. Permanent affordable housing approved under this policy must comply with the definition for affordable as defined in Section 420.0004, Florida Statutes (F.S.). Development densities shall be consistent with the requirements of the funding agreements provided by the Florida Housing Finance Corporation, the Jacksonville Housing Finance Authority, or the City of Jacksonville through the HOME Investment Partnership grant program.

The Land Development Regulations shall be amended to include the process to review and requirements to approve permanent affordable housing projects authorized under this policy.

(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 meet the requirements of the Renew Arlington Zoning Overlay have addressed the issues and concern from the Renew Arlington Design Review (RADR) team. Pursuant to Section 656.399.57.C, PUD rezonings may be sought within the boundaries of the Overlay so long as the PUD does not circumvent the overlay regulations. 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): 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 nothing in the Concurrency system regarding this proposed development and the agent/owner will need to submit a Mobility application & CRC application (attached) to the Concurrency Office.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to permit the development of up to (240) units for affordable workforce housing. 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 streetscape: To be consistent with the requirements of the Renew Arlington Overlay the Site Plan dated November 10, 2022 has been updated to have two of the multi-family buildings with frontage along Merrill Road, providing a maximum 10 foot setback, creating a visual screen from the parking area.

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: Recreation and open space shall be provided as required by the 2030 Comprehensive Plan. Internal pedestrian sidewalks and walkways will be provided for active recreation around the proposed central pond.

The use of existing and proposed landscaping: Landscaping shall be provided as required pursuant to the Renew Arlington Zoning Overlay and Part 12 of the Zoning Code.

The treatment of pedestrian ways: Pedestrian circulation will be addressed consistent with the City regulations.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the

proposed traffic circulation system will be serviced using Merrill Road. Comments from Traffic & Engineering include:

- The location of the access to Merrill Road shall not be relocated from the current site access to Lakeview Fellowship Church. The access to the RaceTrac shall also remain unchanged. There shall be no other accesses to Merrill Road from this site.

The subject site is approximately 12.16 acres and is accessible from Merrill Road, a minor arterial facility. Merrill Road is currently operating at 63.7% of capacity. This segment of Merrill Road has a maximum daily capacity of 31,941 vehicles per day (vpd) and average daily traffic of 20,346 vpd.

The applicant requests 240 dwelling units of multifamily (ITE Code 220), which could produce 1,618 daily trips.

The use and variety of building setback lines, separations, and buffering: In regards to the proposed multi-family residential the property will be developed to further the intent of the Renew Arlington Zoning Overlay. Front yard setback along Merrill Road will provide a maximum of ten (10) foot setback and rear setback will provide a minimum fifteen (15) feet. The west property line for the project is shared with the adjacent gas station and traffic & engineering has issued comments that the existing access drive to Merrill Road should not be relocated. East property is shared with adjacent single family subdivision, Lakeside at Merrill, and a ten (20) foot side setback will be provided.

(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 on the south side of Atlantic Boulevard and just west of Interstate-295 and the Southside Connector. The immediate area is developed with a mix of residential and commercial uses. Just east of the subject property is Lakeside at Merrill single-family subdivision zoned Residential Medium Density-A (RMD-A) with lots 50 feet in width. Further west along Atlantic Blvd is Merrill Pines Condominiums approved through PUD Ord. #2003-0778 with Medium Density Residential Land-Use. Just north of the subject property is Merrill Road Elementary School zoned PBF-1.

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	PBF	PBF-1	Public School
South	MDR	PBF-2	Vacant

East	MDR	RMD-A	Single Family Dwellings
West	NC	PUD: 2008-0231	Gas Station/Convenience Store

(6) Intensity of Development

The proposed development is consistent with the MDR functional land use category and will allow for the development of 240 units for affordable workforce housing. The PUD is appropriate at this location because it is consistent with the surrounding residential uses.

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 October 5, 2022, JEA has no objection to proposed PUD. There is an existing 8-inch or 16-inch water main along Merrill Road and existing 18-inch force main along. Any adjustments to existing infrastructure and/or easements to be addressed during plan review. Final project design to meet the JEA Design Standards in effect at the time of construction plan approval.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries:

Access to the site is to be provided via one connection to Merrill Road. There is no direct access to a State facility. In a memo dated October 5, 2022 from the Florida Department of Transportation: The segment mentioned in Table 2 has sufficient capacity to accommodate the trips generated from the development at the target Level of Service (LOS) standard, and FDOT does not anticipate any significant adverse impacts to I-295.

Table 2

County	Road	Segment ID	Segment	FDOT LOS Standard	Maximum Service Volume	2025 Peak Hour Volume	2025 Peak LOS
Duval	I-295	596	Fort Caroline Rd to Merrill Rd	D	6,800	6,195	D

School Capacity:

Based on the Development Standards for impact assessment, the 12.16± acre proposed PUD rezoning has a development of 240 units for affordable workforce housing. 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 2022-0713

Development Potential: 240 Residential Units

School Type	CSA	2021-22 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats CSA	Available Seats Adjacent CSA 4&5
Elementary	3	7,493	72%	30	75%	1,182	1,708
Middle	3	2,086	74%	12	56%	381	799
High	3	4,311	85%	17	85%	302	487
Total New Students				59			

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 (2021/22)	% OCCUPIED	4 YEAR PROJECTION
Fort Caroline ES #235	3	30	680	606	89%	78%
Arlington MS #213	3	12	979	771	79%	72%
Terry Parker HS #86	3	17	1,866	1,386	74%	93%

- Does not include ESE & room exclusions
- Analysis based on a **maximum** 240 dwelling units – 2022-0713
- Same as Above (SAA)

(7) Usable open spaces plazas, recreation areas.

Recreation and open space shall be provided as required by the 2030 Comprehensive Plan.

(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.

Wetlands Characteristics:

Approximate Size:	1.58 Acres
General Location(s):	The western portion of the subject site.
Quality/Functional Value:	The wetland has a medium functional value for water filtration attenuation and flood water capacity due to its isolation, size and having an indirect impact on the City's waterways.
Soil Types/ Characteristics:	(49) Pamlico Muck – Very poorly drained, decomposed organic material
Wetland Category:	Category III
Consistency of Permitted Uses:	Category III: All uses. Must meet CCME Policies 4.1.3 and 4.1.6.
Environmental Resource Permit (ERP):	Not provided by applicant
Wetlands Impact:	No immediate impacts
Associated Impacts:	None
Relevant Policies:	CCME Policies 4.1.3 and 4.1.6

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.

Parking shall be provided as conceptually depicted in the site plan dated November 10, 2022 which furthers and is consistent with the Renew Arlington Zoning Overlay parking design objective. Site plan shows provided parking for a total of 425 spaces.

(11) Sidewalks, trails, and bikeways

Pedestrian circulation will be addressed consistent with the City regulations. Bicycle parking shall be provided as required under Part 6 of the Zoning Code.

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.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **October 12, 2022** 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 **2022-0713** be **APPROVED** with the following exhibits:

1. The original legal description dated September 19, 2022
2. The revised written description dated November 10, 2022
3. The revised site plan dated November 10, 2022

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2022-0713** be **APPROVED w/ CONDITIONS**.

1. The property shall be developed in accordance with the Transportation Planning Division Memorandum dated October 10, 2022, or as otherwise approved by the Planning and Development Department.
2. Provisions for access from Merrill Road to the properties to the south shall be provided, including transportation and utility access.
3. The property shall be developed in accordance with Future Land Use Element Policy 3.1.28 of the 2030 Comprehensive Plan.
4. Borrow pits and commercial neighborhood retail sales and services or professional office structurally integrated with a multi-family use are prohibited.



Aerial View

Source: JaxGIS



View of the Subject Property

*Source: Planning & Development Dept.
Date: October 12, 2022*



View of the Subject Property

Source: JaxGIS Maps



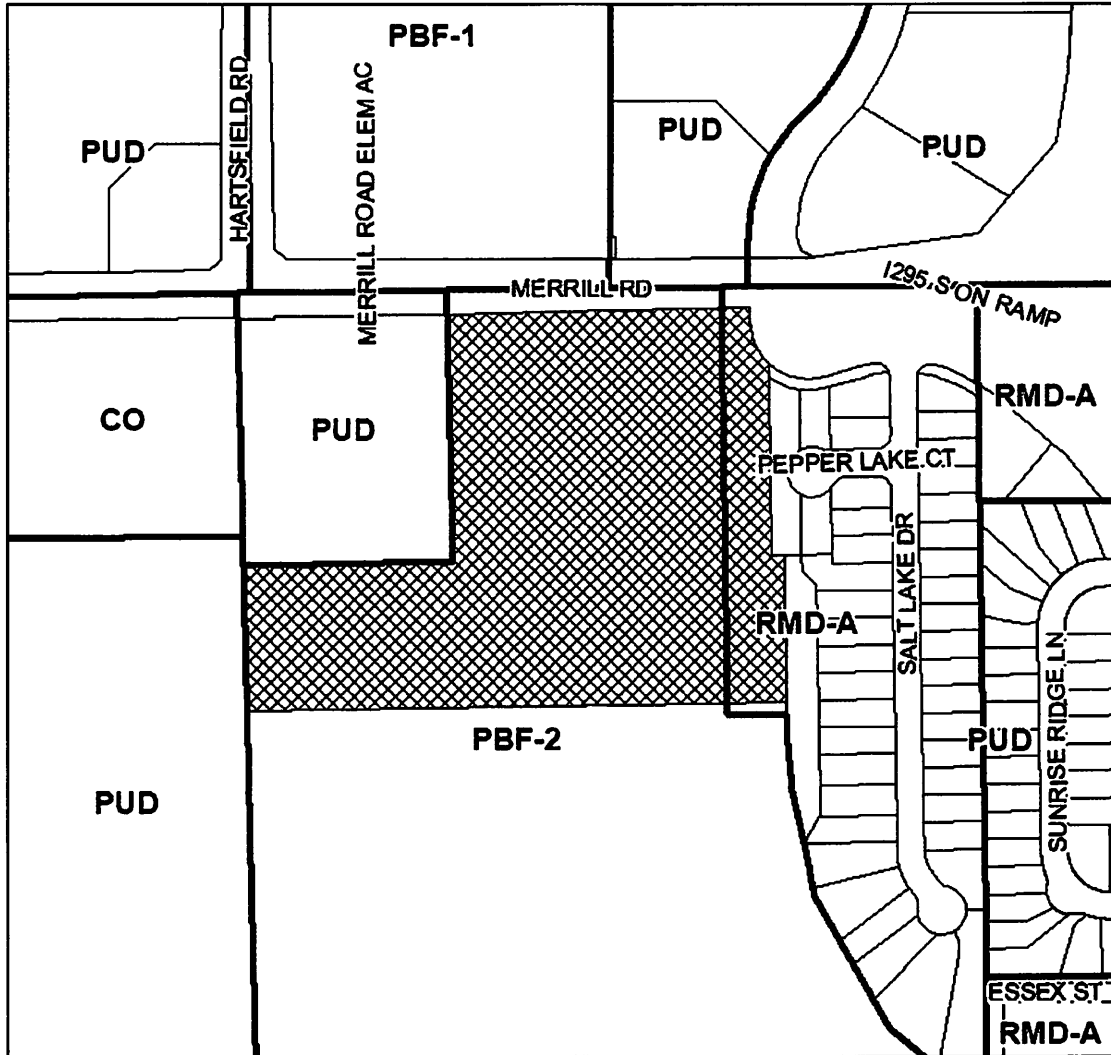
View of Property to the West

*Source: Planning & Development Dept.
Date: October 12, 2022*

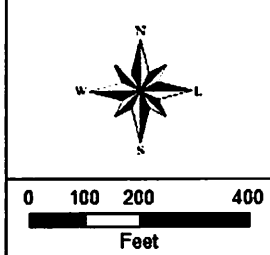
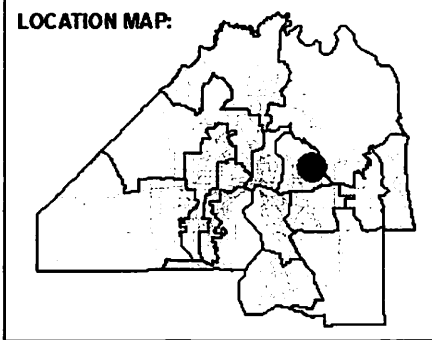


View of Properties to the East

Source: GoogleMaps



REQUEST SOUGHT:
FROM: PBF-2 & RMD-A
TO: PUD



COUNCIL DISTRICT:
1

TRACKING NUMBER
T-2022-4534

EXHIBIT 2
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