

Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	Absent
David Hacker	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2022-0891 TO
PLANNED UNIT DEVELOPMENT

JANUARY 19, 2023

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 **2022-0891** to Planned Unit Development.

Location: 12804 Lem Turner Road
Between Western Avenue and Lem Turner Road

Real Estate Numbers: 019507 0000; 019495 9100; 019516 0000; 019517
0000; 019531 0000

Current Zoning District: Residential Rural-Acre (RR-Acre)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Rural Residential (RR)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: 6 – North

Applicant/Agent: Brian Small
Bird Dog
3948 3rd Street South, 116
Jacksonville, Florida 32250

Owner: Robert Hansen
12804 Lem Turner Road
Jacksonville, FL 32218

Houston Stephens
Houstons H&W Meats, Inc.
12545 N. Main Street
Jacksonville, FL 32218

John Hansen
12810 Lem Turner Road
Jacksonville, FL 32218

Staff Recommendation:

APPROVE

GENERAL INFORMATION

Application for Planned Unit Development **2022-0891** seeks to rezone approximately 17.85± acres of land from Residential Rural-Acre (RR-Acre) to Planned Unit Development (PUD). The rezoning is sought to allow for a maximum of 150 townhome units in the form of duplexes.

The need for the PUD stems from the current zoning district not permitting multi-family dwellings and the need to reduce the typical side yard setback requirements for end-unit townhomes. The subject property is currently zoned as Residential Rural-Acre (RR-Acre) and contains three single-family dwellings. There is a companion Land Use Amendment (**2022-0890/L-5736-22C**) to amend the current land use category from Rural Residential (RR) to Medium Density Residential (MDR).

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 17.85-acre subject property is located on the west side of Lem Turner Road and on the north side of Hemlock Street. According to the City's Functional Highways Classification Map, Lem Turner Road is a minor arterial road and Hemlock Street is a local road. The subject site is also within the Suburban Development Area, Planning District 6, and Council District 8.

With the approval of the proposed Land Use Amendment (**2022-0890/L-5736-22C**) the subject site will be located within the proposed Medium Density Residential (MDR) in the Suburban Development Area is a category intended to provide compact medium density residential development. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. Residential uses are permitted at up to 20 dwelling units per acre and the minimum gross density shall generally be greater than seven (7) units per acre.

The proposed development is for a residential multi-family development with a maximum of 150 dwelling units. The proposed use is consistent with the MDR land use category if the proposed development connects to centralized water and sewer service.

(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.

In reference to the attached JEA Availability Letter, **2022-2056**, the proposed development shall connect to City water and sewer.

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 in the immediate 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 proposed rezoning to a PUD would allow for residential infill on a traditionally vacant and underutilized parcel along Lem Turner Road. The PUD will also allow for a greater variety of dwelling options—which directly addresses the housing needs of City residents.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low and high sensitivity for the presence of archaeological resources. Projects

that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Flood Zones

Approximately 1.89 acres of the 17.85-acre subject site is located within the AE Flood Zone located at the northern edge of the property and at the 15-foot elevation. 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. The companion PUD rezoning application site plan clusters development outside of the flood zones.

Conservation /Coastal Management Element (CCME)

Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

- A. Land acquisition or conservation easement acquisition;
- B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
- C. Incentives, including tax benefits and transfer of development rights.

Policy 11.3.18 The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

Flood Zone Map



(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, with the approval of the companion Land Use Amendment, the subject property will be within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Medium Density Residential (MDR). 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 parcels for a multi-family development. 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 use and variety of building groupings: The subject property will be developed with a maximum of 150 townhome units, in the form of duplexes, according to the submitted site plan.

The use of existing and proposed landscaping: The subject site will be developed in accordance with Part 12 of the Zoning Code.

The treatment of pedestrian ways: Pursuant to the provisions outlined in Chapter 654 Code of Subdivision Regulations and the 2030 Comprehensive Plan, the proposed development will provide bicycle and pedestrian connectivity.

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Hemlock Street.

(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 near the corner of Lem Turner Road and Hemlock Street, where single-family dwellings are the predominate use. Although being developed for multi-family use, the subject site will preserve the residential character of the area and offer a mixed housing product within the general vicinity.

Nonetheless, the adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Property Use
North	RR	RR-Acre	Vacant Government Property

South	RR	RR-Acre	Vacant, Single-Family Dwellings
East	RR/NC	RR-Acre/PUD 2004-0014	Vacant, Single-Family Dwellings
West	RR	RR-Acre	Single-Family Dwellings

(6) Intensity of Development

The proposed development will consistent with the MDR functional land use category.

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—with proposed water and force mains located along Lem Turner Road at Percy Street.

School Capacity:

Based on the Development Standards for impact assessment, the 17.70± acre proposed PUD rezoning has a development potential of 150 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 2022-0891
Development Potential: 150 Townhome Units

School Type	CSA	2022-23 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats - CSA	Available Seats - Adjacent CSA 2&7
Elementary	1	11,216	56%	18	57%	7,119	3,151
Middle	1	6,876	80%	7	86%	1,592	356
High	1	7,054	72%	11	62%	1,365	1,532
Total New Students				36			

Total Student Generation Yield: 0.333

Elementary: 0.125

Middle: 0.051

High: 0.074

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 (Rounded)	SCHOOL CAPACITY (Permanent/ Portables)	CURRENT ENROLLMENT 20 Day Count (2022/23)	% OCCUPIED	4 YEAR PROJECTION
Biscayne ES #269	1	18	667	703	105%	100%

Highland MS #244	1	7	1071	697	65%	75%
Jean Ribault HS #96	1	11	1683	1378	82%	84%
		36				

- Does not include ESE & room exclusions
- Analysis based on a **maximum 150 dwelling units** – PUD 2022-0891

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The subject site is approximately 17.85 acres and is accessible from Hemlock Street, an unclassified facility. The subject site is West of Lem Turner Road (SR 115) between Gerald Road and I-295 West Beltway that is currently operating at 62.1% of capacity. Lem Turner Road currently has a maximum daily capacity of 17,700 vehicles per day (vpd) and average daily traffic of 11,000 vpd.

This PUD is a companion to pending small-scale land use application L-5736-22C (2022-0890). The applicant requests 150 dwelling units of multi-family (ITE Code 220), which could produce 1,011 daily trips.

The application was also reviewed by the City’s Traffic Engineer and the following comments were forwarded:

- A traffic study shall be provided at Civil Site Plan Review. Prior to the commencement of the traffic study, the traffic professional shall conduct a methodology meeting to determine the limits of the study. The methodology meeting shall include the Chief of the Traffic Engineering Division, the Chief of the Transportation Division, and the traffic reviewer from Development Services. Although the site does not directly access an FDOT right of way, the trips caused by this development will impact the FDOT Lem Turner Road/Hemlock Street intersection. FDOT representation should also be included in the methodology meeting.

(7) Usable open spaces plazas, recreation areas.

A minimum of 1 acre of recreation area shall be provided per every 100 single-family lots or any fraction thereof or 5% of the total useable uplands area to be platter, whichever is less, to be dedicated as common area and set aside for active recreation.

(8) Impact on wetlands

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.

The off-street parking standards will developed in accordance with Part 6 of the Zoning Code with the exception that parking will be provided on-site throughout the entire PUD, instead of each individually platter lot, if applicable.

(11) Sidewalks, trails, and bikeways

Sidewalks shall be provided as required in the 2030 Comprehensive Plan and the Subdivision Regulations, Chapter 654 of the Ordinance Code.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **January 12, 2022** by the Planning and Development Department, the Notice of Public Hearing signs **were** posted.



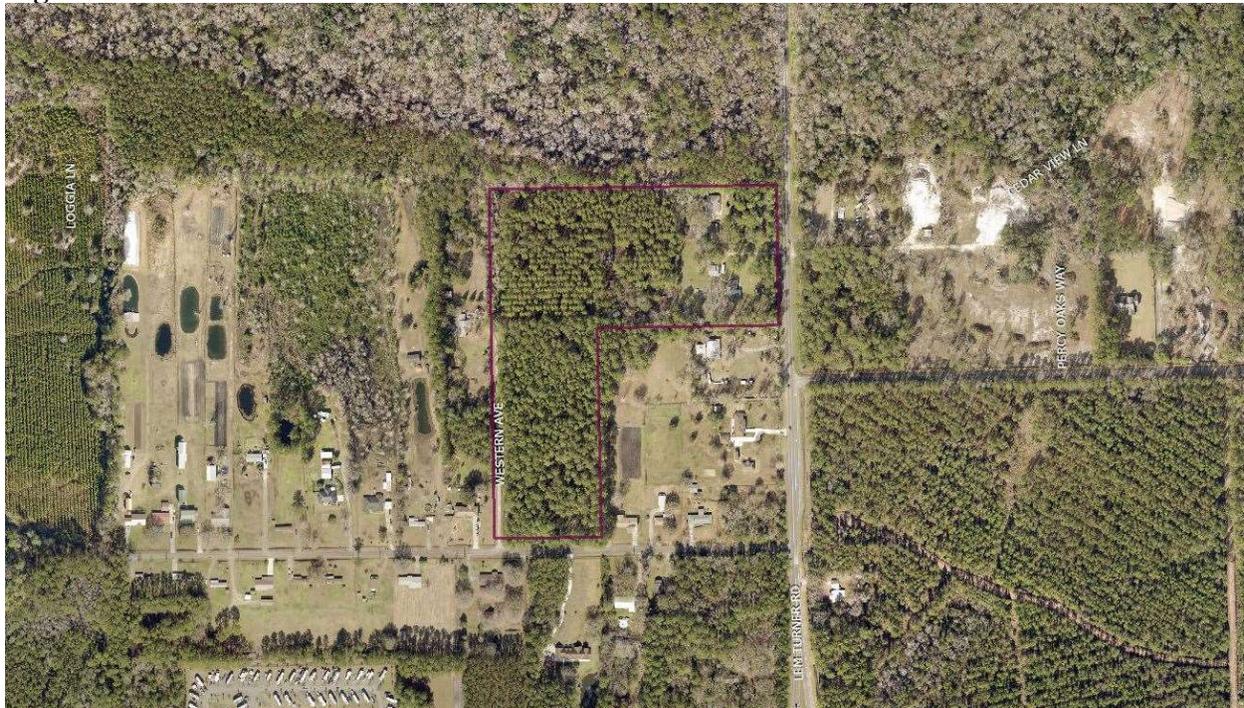
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2022-0891** be **APPROVED** with the following exhibits:

- The original legal description dated July 6, 2022.**
- The original written description dated October 5, 2022.**
- The original site plan dated September 26, 2022.**

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2022-0891** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 1/12/2023

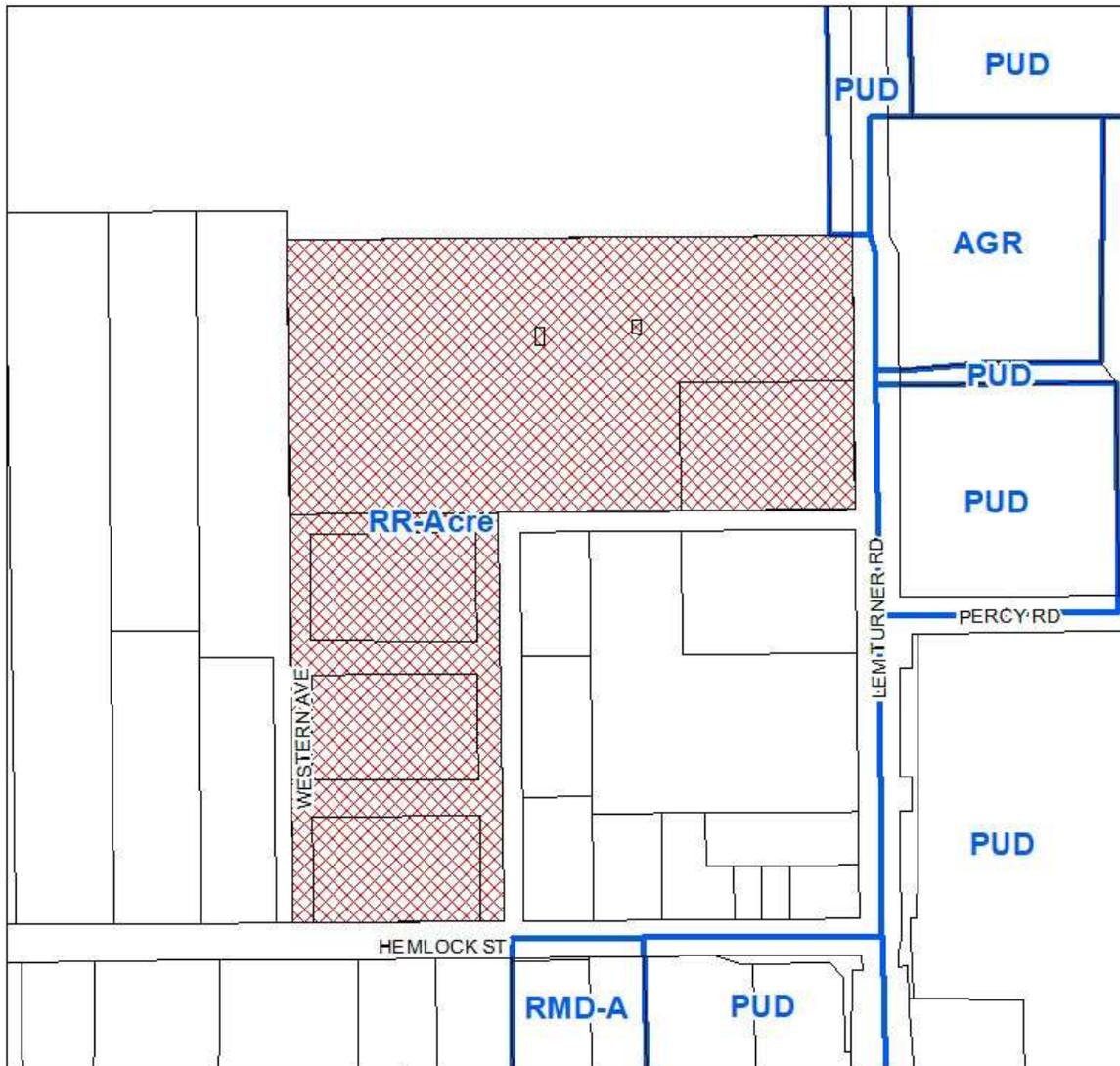
Aerial view of the subject site and parcel, facing north.

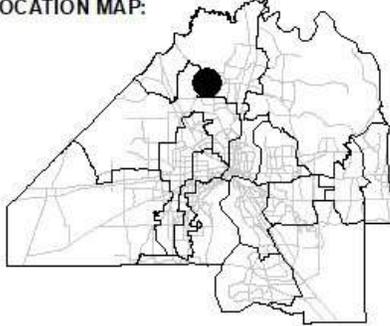
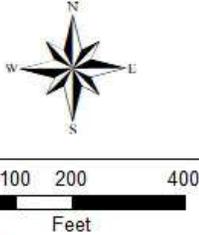
Figure B:



Source: Planning & Development Dept, 1/12/2023

View of the subject property, from Lem Turner Road.



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>8</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2022-0891</p>	<p>TRACKING NUMBER</p> <p>T-2022-4338</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>