

Planning Commission Vote: 6-0

Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Absent
Jason Porter, Secretary	Aye
Marshall Adkison	Aye
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
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2022-0893 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 **2022-0893** to Planned Unit Development.

Location: 5175 Justamere Road
Between 103rd Street and Magnolia Hills Drive

Real Estate Numbers: 012966-0100

Current Zoning Districts: Commercial Office (CO)
Residential Low Density-100B (RLD-100B)
Planned Unit Development (PUD) Ord. 1987-0871

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: Southwest, District 4

Applicant/Agent: William Michaelis, Esq.
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, FL 32207

Owner: Ricardo & Rachael Ramon
5175 Justamere Road
Jacksonville, FL 32210

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development **2022-0893** seeks to rezone approximately 14.98± acres of land from Commercial Office (CO)/ Residential Low Density-100B (RLD-100B)/ Planned Unit Development (PUD) Ord. #1987-0871 to Planned Unit Development (PUD). The rezoning to PUD is being sought to allow for the development of 209 unit townhome community. The proposed

PUD differs from the conventional zoning code by providing for site-specific design standards and criteria including reduction in front yard setbacks for townhomes, reduced minimum lot sizes and allows for a reduction in guest parking for townhomes with two-car garages.

There is a companion Land Use Amendment, **2022-0892 (L-5756-22C)**. The proposed LUA is for Low Density Residential (LDR) 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.

(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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series **L-5756-22C (Ordinance 2022-0892)** that seeks to amend the portion of the site that is within the Low Density Residential (LDR) land use category to Medium Density Residential (MDR). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series **L-5756-22C** be approved.

MDR in the Suburban Area is 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. Multi-family dwellings are the predominant development typology in this category. The maximum gross density in the Suburban Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre.

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 1.2.9

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 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.

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 proposed rezoning to a PUD would allow for residential infill on an underutilized parcel along just north of 103rd Street. The PUD will also allow for a greater variety of dwelling options, which directly addresses the housing needs of City residents.

Airport Environment Zone

The site is located within the 150 foot Height and Hazard Zone for Herlong Airport and Cecil Field. 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.

Aquifer Recharge

The site is located within an area identified as being in the 0 to 4 inch per year aquifer recharge area. This range is below the threshold of 12 inches or more per year which would constitute a prime recharge area as defined in the Infrastructure Element – Aquifer Recharge Sub-Element (IE-AR). Prime aquifer recharge areas are the primary focus of groundwater resource protections. However, development resulting from the proposed land use amendment will be reviewed during the site plan review and permitting process for compliance with the land development regulations that have been established to protect groundwater resources. Such regulations address issues such as drainage systems, septic systems, and landscape/irrigation regulations.

(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). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series **L-5756-22C (Ordinance 2022-0892)** that seeks to amend the portion of land that is within the Low Density Residential (LDR) land use category to 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). The agent/owner will be required to submit a Mobility application & a CRC application to the Concurrency Office’s.

This development is subject to mobility fee review.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to permit the development of 209 unit townhome community. 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 treatment of pedestrian ways: Sidewalks shall be provided as required in the 2030 Comprehensive Plan and the Subdivision Regulations, Chapter 654, Ordinance Code.

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: Active recreation will be provided pursuant to Policies 2.2.3 of the Recreation and Open Space Element of the Comprehensive Plan and Section 656.420 of the Zoning Code.

The use of existing and proposed landscaping: Landscape and tree protection will be provided in accordance with Part 12 of the City's Zoning Code (Landscape and Tree Protection regulations).

Traffic and pedestrian circulation patterns: As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Magnolia Valley Drive. Comments from Traffic & Engineering include:

- There shall be no parking created in the city right of way.
- Streets dedicated to the City of Jacksonville shall terminate in a city standard cul-de-sac.
- Ensure drivers exiting on to Magnolia Valley Drive from the new street have adequate sight distance.

The subject site is approximately 14.98 acres and is accessible from Justamere Road, which is between 103rd Street (Sr 132) and Magnolia Valley Drive. Justamere Road is an unclassified facility. The subject site is North of 103rd Street between Cecil Commerce Center Pkwy and Shindler Drive that is currently operating at 36.6% of capacity. 103rd Street currently has a maximum daily capacity of 39,800 vehicles per day (vpd) and average daily traffic of 14,569 vpd.

This PUD is a companion to pending small-scale land use application L-5756-22C (2022-0892). The applicant requests 209 dwelling units of multi-family (ITE Code 220), which could produce 1,409 daily trips.

(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 with residential properties as the prevailing use developed with single-family dwellings to the north but several properties have been rezoned in recent years to allow for multi-family. Magnolia Villas, located just west of the subject property, was approved through Ord. #2022-0308 for the development of 84 multi-family dwelling and Samaritan PUD was approved through Ord. #2021-0747 for 94 townhomes. Approval of the request for rezoning to allow for townhomes would not be out of character for the surrounding area and the already approved developments along 103rd Street.

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	LDR	PUD: 2004-0613	Single-Family Dwellings
South	CGC	PUD: 2010-0690	Vacant
East	MDR/CGC	RMD-A/CCG-1	Warehousing
West	LDR	PUD: 2004-0613	Single-Family Dwellings

(6) Intensity of Development

The proposed development is consistent with the proposed MDR functional land use category and will allow for the development 209 townhome community. 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 January 3, 2023, JEA has objections to the proposed project layout. Water, sewer and electric connections to be consistent with JEA design standards, processes, and procedures. 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.

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

The subject property is located on the north side of 103rd Street (SR-134), east of Magnolia Valley Drive. Access to the site is via one connection to Magnolia Valley Drive. There is no direct access to a State facility. Per the memo from FDOT dated January 3, 2023, FDOT has programmed an intersection improvement project along 103rd Street from Hillman Drive to Readstone Drive (FPID 441050-1). Construction is estimated to be completed by Fall 2023. Additionally, 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 103rd Street.

Table 2

County	Road	Segment ID	Segment	FDOT LOS Standard	Maximum Service Volume	2021 Peak Hour Volume	2021 Peak LOS	2027 Peak Hour Volume	2027 Peak LOS
Duval	103 rd St	4358	SR-23 to Shindler Dr	D	3,580	1,311	C	1,402	C

School Capacity:

Based on the Development Standards for impact assessment, the 14.98± acre proposed PUD rezoning has a development potential of 209 dwelling 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 2022-0893

Development Potential: 209 Residential Units

School Type	CSA	2022-23 Enrollment/CSA	Current Utilization (%)	New Student/ Development	5-Year Utilization (%)	Available Seats CSA	Available Seats Adjacent CSA 1&2
Elementary	8	5,666	75%	26	83%	2,075	9,800
Middle	7	1,018	71%	10	79%	267	1,681
High	8	2,697	89%	15	64%	216	2,255
Total New Students				51			

Total Student Generation Yield: 0.250

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	SCHOOL CAPACITY (Permanent/ Portables)	CURRENT ENROLLMENT 20 Day Count (2022/23)	% OCCUPIED	4 YEAR PROJECTION
Westview K8 #274	8	26	1498	1,197	80%	85%

Westview K8 #274	7	10	1,498	1,197	80%	85%
Edward White Academy #248	2	15	2,071	1,574	76%	67%

- Attendance school may not be in proposed development's Concurrency Service Area (CSA)
- Does not include ESE & room exclusions
- Analysis based on a **maximum** 209 dwelling units – 2022-0893
- The Student Distribution Rate is calculated for each school type by dividing the total number of public school students enrolled in that school type in Duval County (104,757) by the number of total permitted housing units (418,708) for the same year, generating a yield of 0.250.

(7) Usable open spaces plazas, recreation areas.

Active recreation will be provided pursuant to Policies 2.2.3 of the Recreation and Open Space Element of the Comprehensive Plan and Section 656.420 of the Zoning Code.

(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:

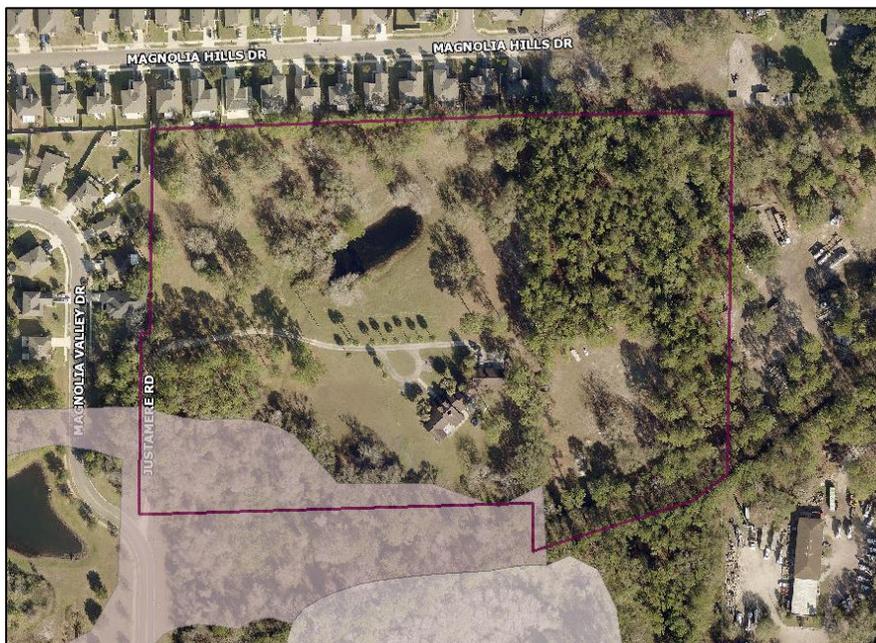
Approximate Size:	1.31 Acres
General Location(s):	The wetlands are located along the southern boundary and the southwest corner of the site.
Quality/Functional Value:	The wetland has a medium functional value for water filtration attenuation and flood water capacity due to its isolation, size and having an indirect impact on the City’s waterways.
Soil Types/ Characteristics:	Boulogne fine sand, 0 to 2 percent slopes (14) –This soil series consists of nearly level, poorly drained, sandy soils. These soils formed in thick sandy marine sediments. They are in flatwoods. The soils are slowly permeable. Generally, the high water table is at a depth of 6-18 inches. Slopes are linear

and range from 0 to 2 percent. The Boulogne soils are sandy, siliceous, thermic Typic Alaquods.

Evergreen-Wesconnett complex, depressional (22) – The Evergreen series consists of nearly level, very poorly drained soils. These soils formed in decomposed organic materials underlain by thick sandy marine sediments. They are in depressions. The soils are moderately slowly permeable to rapidly permeable. Generally, the high water table is at or above the surface for very long periods.

Wetland Category:	Category III
Consistency of Permitted Uses:	All uses consistent with CCME Policies 4.1.3 and 4.1.6
Environmental Resource Permit (ERP):	Permit not provided by applicant
Wetlands Impact:	The PUD site plan shows the avoidance of some of the wetlands on site
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.

Off street parking will be provided in accordance with Part 6 of the City's Zoning Code except that no guest parking spaces shall be required for townhomes with 2-car garages, as applicable.

(11) Sidewalks, trails, and bikeways

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

The applicant provided proof of posting on **December 22, 2022** to the Planning and Development Department, that the Notice of Public Hearing signs were posted.



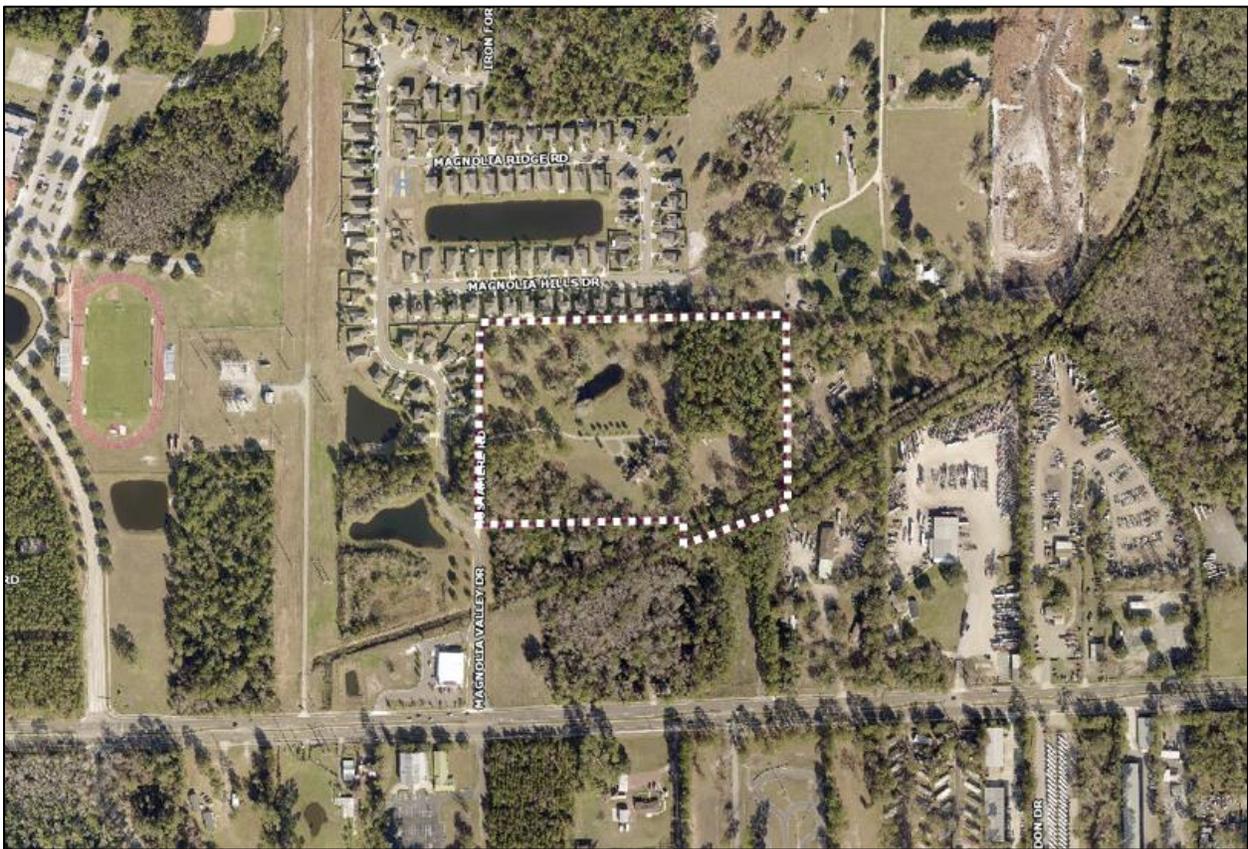
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2022-0893** be **APPROVED** with the following exhibits:

1. The original legal description dated September 13, 2022
2. The original written description dated November 14, 2022
3. The original site plan dated November 11, 2022

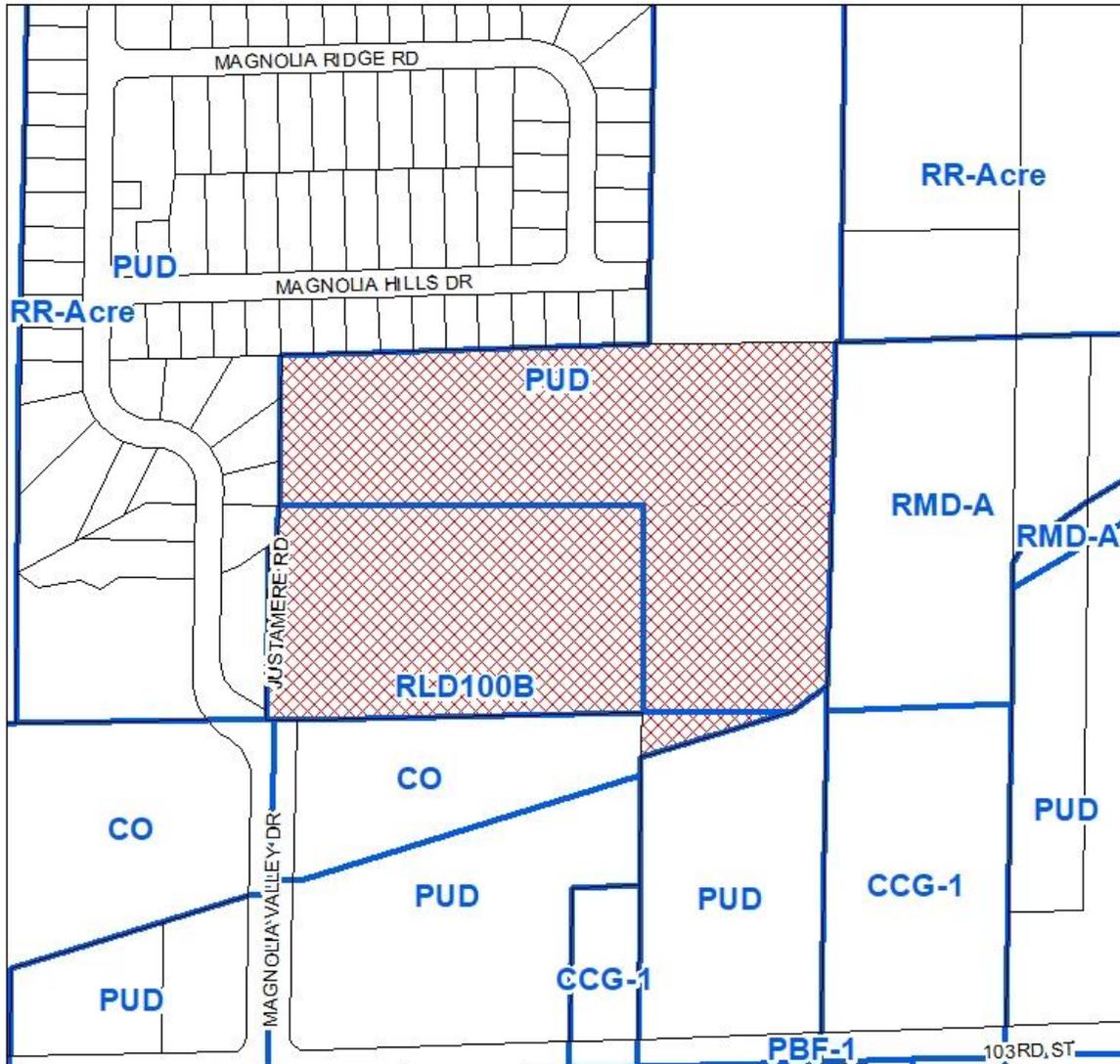
Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2022-0893** be **APPROVED W/ CONDITION**.

1. The property shall be developed in accordance with the Transportation Planning Memorandum dated January 3, 2023, or as otherwise approved by the Planning and Development Department.



Aerial View

Source: JaxGIS

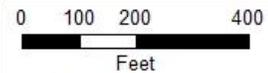
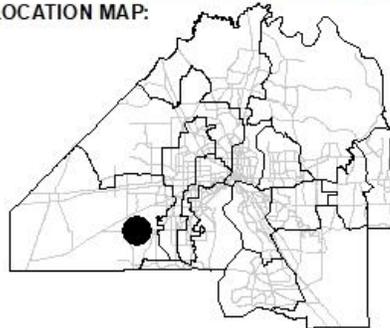


REQUEST SOUGHT:

FROM: CO, RLD100B, & PUD

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2022-4469

**EXHIBIT 2
 PAGE 1 OF 1**