



Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
David Hacker	Aye
Morgan Roberts	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 2023-0295 TO**  
**PLANNED UNIT DEVELOPMENT**

**June 8, 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 **2023-0295** to Planned Unit Development.

***Location:*** 7878 Morse Avenue, West of Ricker Road

***Real Estate Number(s):*** 015786-0000

***Current Zoning District(s):*** Residential Rural-Acre (RR-Acre)  
Public Building Facilities-1 (PBF-1)

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

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

***Planning District:*** Southwest, District 4

***Applicant/Agent:*** Heather Lafaire Allen  
Forestar Group  
14785 Old St. Augustine Road, Suite 300  
Jacksonville, Florida 32258

***Owner:*** John Elbert Erwin  
8607 Garden Street  
Jacksonville, Florida 32219

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Planned Unit Development 2023-0295 seeks to rezone approximately 13.74 acres of land from Residential Rural-Acre (RR-Acre) and Public Buildings and Facility-1 (PBF-1) to Planned United Development (PUD). The rezoning to PUD is being sought to allow a maximum of 50 townhomes. The proposed development based on the site plan will contain 48 units on 24 lots. Each lot will be a minimum of 40 feet with a minimum lot area of 1,700 square feet per unit lot. The proposed PUD differs from the Zoning Code as there are an addition and removal of uses consistent with the Residential Low Density (RLD) and Residential Medium

Density (RMD) zoning districts, setback requirements are slightly different, the proposed development would allow for a mix of lot sizes and unit types, among other changes.

### **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 2045 Comprehensive Plan?***

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) 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 2045 Comprehensive Plan. LDR is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Single-family residential units are allowed in the LDR land use category. Multi-family residential uses are allowed in the LDR land use category when both centralized potable water and wastewater are available to the site. Per the JEA letter of availability provided by the applicant, both are available to the site via a road abutting the site. The maximum gross density allowed in the LDR land use category in the Suburban development area is 7 units/acre when centralized potable water and wastewater services are available.

Single-family and multi-family residences are allowed in the LDR land use category and maximum density for the 13.74-acre site is 96 units. The proposed PUD would allow for the construction of 50 townhomes which is within the density limit.

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

Yes. This proposed rezoning to Planned Unit Development is consistent with the 2045 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

#### **Future Land Use Element:**

**Goal 1** To ensure that the character and location of land uses optimize the combined potentials of economic benefit and enjoyment, wellness, and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

**Objective 1.6** The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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.

**Policy 1.1.9** Promote the use of Planned Unit Developments (PUD) zoning districts, cluster developments, and other innovative site planning and smart growth techniques in order to allow for appropriate combinations of complementary land uses, densities and intensities consistent with the underlying land use category or site specific policy, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations. These techniques should consider the following criteria in determining uses, densities, intensities, and site design:

- Potential for the development of blighting or other negative influences on abutting properties
- Traffic Impacts
- Site Access
- Transition of densities and comparison of percentage increase in density above average density of abutting developed properties
- Configuration and orientation of the property
- Natural or man-made buffers and boundaries
- Height of development
- Bulk and scale of development
- Building orientation
- Site layout
- Parking layout
- Opportunities for physical activity, active living, social connection, and access to healthy food

**Goal 3** To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

### **Airport Environment Zone**

The site is located within the 500-foot Height and Hazard Zone for Naval Air Station Jacksonville. Zoning will limit development to a maximum height of 500 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).

### **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 plan of development meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

***(1) Consistency with the 2045 Comprehensive Plan***

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use categories as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR). The Planning and Development Department finds that the proposed PUD is consistent with the 2045 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.

***(3) Allocation of residential land use***

This proposed Planned Unit Development intends to utilize the subject parcel for a multi-family development. This proposed development will not exceed the projected holding capacity reflected in the Land Use Table, Exhibit F.

***(4) Internal compatibility***

This proposed PUD is consistent with the internal compatibility factors. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The streetscape: The development will have a street that stops halfway through the lot with a cul-de-sac at the end that has additional parking. There is also a one-way street to access 7 lots on the east side of the lot, that meets back up with the two-way street.
- The treatment of pedestrian ways: The written description states that the project will comply with the applicable requirements of the Zoning Code, 2045 Comprehensive Plan, and Land Development Procedures Manual regarding the provision of sidewalks.

- The use and variety of building setback lines, separations, and buffering: The written description states the setback in the front yard will be 22 feet from the outside edge of sidewalk to the garage face where sidewalks are located on that side of the street and 15 feet to the building facade; 22 feet from the back edge of curb where no sidewalks are located to the garage face and 15 feet to the building facade. For corner lots, the minimum front yard shall be ten (10) feet if no driveway is proposed on the front yard upon which this lower yard requirement is applied. The side yard will be five (5) feet and the rear yard will be ten (10) feet.
- The use and variety of building groupings: The site plan shows 24 lots, with 2 units per lot, totaling 48 units. This PUD is allowed up to 50 units.
- Traffic and pedestrian circulation patterns: As demonstrated on the site plan, the proposed traffic circulation system will be serviced using Morse Avenue. Comments from Traffic & Engineering include:
  - There shall be no parking created in rights of way proposed to be dedicated to the City of Jacksonville.
  - If the streets are to be dedicated to the City of Jacksonville, the dimensions for the cul-de-sac shall meet city standards.
  - If the streets are to be dedicated to the City of Jacksonville, all curb returns at intersections shall be 30'. Any other return radius must be approved by the City Engineer.
  - If the streets are to be dedicated to the City of Jacksonville, the proposed street typical cross section shall match that found in City Standard Details for City of Jacksonville, Plate P-127.
  - If the streets are to be dedicated to the City of Jacksonville, property lines at street intersections shall be rounded with a radius of 25 feet.
  - All street pavement widths shall be 24' per 654.111(o). Alleys, per 654.106 are only a secondary means of access.

### ***(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: On the north side of Morse Avenue are single family dwellings with smaller lots, between Ricker Road and the Recreation and Open Space to the west. There are a mix of single-family dwellings and mobile homes that surround the northern, eastern, and southern portions of the property. The proposed townhomes will be a transition from mobile homes, single family uses, and recreational open space.
- The Comprehensive Plan and existing zoning on surrounding lands: 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 Use</b>
<b>North</b>	LDR	RR-ACRE	Single Family Dwellings, Mobile Homes
<b>South</b>	LDR	RR-ACRE	Single and Multi-Family Dwellings, Mobile Homes
<b>East</b>	LDR	RR-ACRE	Single Family Dwellings, Mobile Homes, Pasture Land
<b>West</b>	LDR	RR-ACRE	Single Family Dwellings, Mobile Homes

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

The proposed development is consistent with the Low Density Residential (LDR) functional land use category as multi-family residential development. The proposed PUD will allow up to 50 units, with the site plan proposing 24 lots and 48 units. The written description has duplex lots at a minimum of 40 feet wide and a minimum lot area of 1,700 square feet.

- The existing residential density and intensity of use of surrounding lands: On the north side of Morse Avenue are single family dwellings between the conservation area and Ricker Road. East of the subject property are single family dwellings and mobile homes that consist of different sized lots. The proposed townhomes will be a transition from the different sized lots adjacent and the single family 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, JEA stated they have no objections to the proposed PUD. In a memo provided by JEA dated May 17, 2023, mentions “Final project design to meet the JEA Design Standards in effect at the time of construction plan approval.” JEA Availability # 2022-3472 shows potable water connection existing 12 inch main along Morse Avenue and sewer connection existing 8 inch gravity sewer main along Morse Avenue.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: the northern side of Morse Avenue has access roads to the subdivisions in the area. This proposed PUD will add an access road to the southern portion of Morse Avenue to access the townhomes.

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

Due to there being only 24 lots, a recreation area is not required.

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

**Wetlands**

Review of information submitted by the applicant 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: 0.11 of an acre

General Location(s): Located along the eastern property line. (See attachment A, below)

Quality/Functional Value: The wetland is a portion of an isolated cypress swamp and is considered to have a high functional value due to its water filtration attenuation and flood water storage capacity

Soil Types/Characteristics:

Surrency loamy fine sand, depressional (66) – The Surrency series consists of nearly level, very poorly drained soils that occur in depressions. These soils formed in thick sandy and loamy marine sediments. The soils are moderately permeable moderately slowly permeable. Generally, the high water table is at or above the surface.

Wetland Category: Category III

Consistency of Permitted Uses: See Policy 4.1.6 for permitted uses.

Environmental Resource Permit (ERP): At this time of review, the proposed development does not have a “Formal Wetlands Determination” or an ERP permit.

Wetlands Impact: None - the applicant’s site plan, dated March 7, 2023, indicates that all construction will occur north of the wetlands, on the north side of the utility easement.

Associated Impacts: There are no associated impacts.

Relevant Policies:

Conservation/Coastal Management Element

Goal 4 To achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetland resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

Objective 4.1      The City shall protect and conserve the natural functions of its existing wetlands, including estuarine marshes. In order to achieve this objective and its associated policies, the City shall continue to work with the applicable regional, state and federal agencies charged with these regulatory responsibilities.

Policy 4.1.3      The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

(1) Encroachment

In Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and

(a) No net loss

Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:

- i. The habitat of fish, wildlife and threatened or endangered species,
- ii. The abundance and diversity of fish, wildlife and threatened or endangered species,
- iii. The food sources of fish and wildlife including those which are threatened or endangered,
- iv. The water quality of the wetland, and
- v. The flood storage and flood conveyance capabilities of the wetland; and

(b) Floodplain protection

Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and

(c) Stormwater quality

In the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:

- i. Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is

constructed in accordance with the permit; and

ii. Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems

(d) Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S. Where public utilities are available, development is required to connect to these facilities; and

(e) Hydrology

The design of the fill shall include measures to maintain the wetlands hydrology of the site.

Policy 4.1.6

The permitted uses within Category III wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs)

(1) Any use not otherwise listed below, provided all of the basic requirements outlined in Policy 4.1.3 above are met:

(2) Silvicultural uses, provided the following standards are met:

Best Management Practices: Silviculture

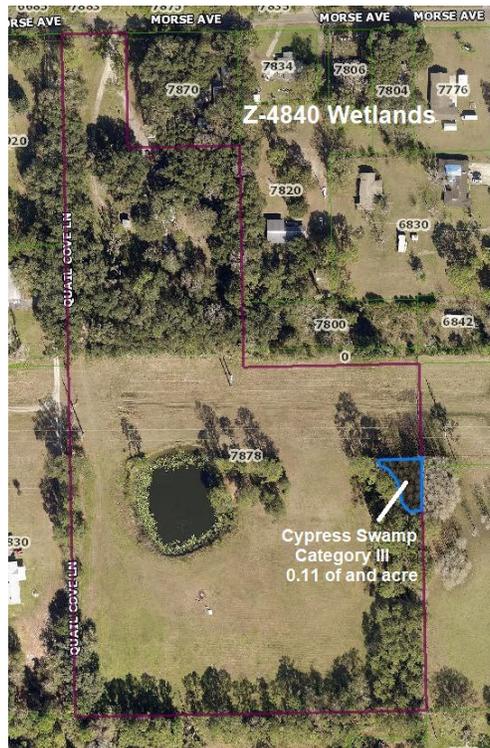
Such activities are conducted in compliance with the provisions of the "Silvicultural Best Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

(3) Agricultural uses, provided the following standards are met:

Best Management Practices: Agriculture

Such activities are to be in compliance with Chapter 40C-44, F.A.C.

(4) Any use that can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the performance standards outlined in Policy 4.1.3 above.



***(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 site will be developed in accordance with Part 6 of the Zoning Code.

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

The project will contain a pedestrian system that meets the 2045 Comprehensive Plan.

### SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on May 23, 2023, the required 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 **2023-0295** be **APPROVED** with the following exhibits:

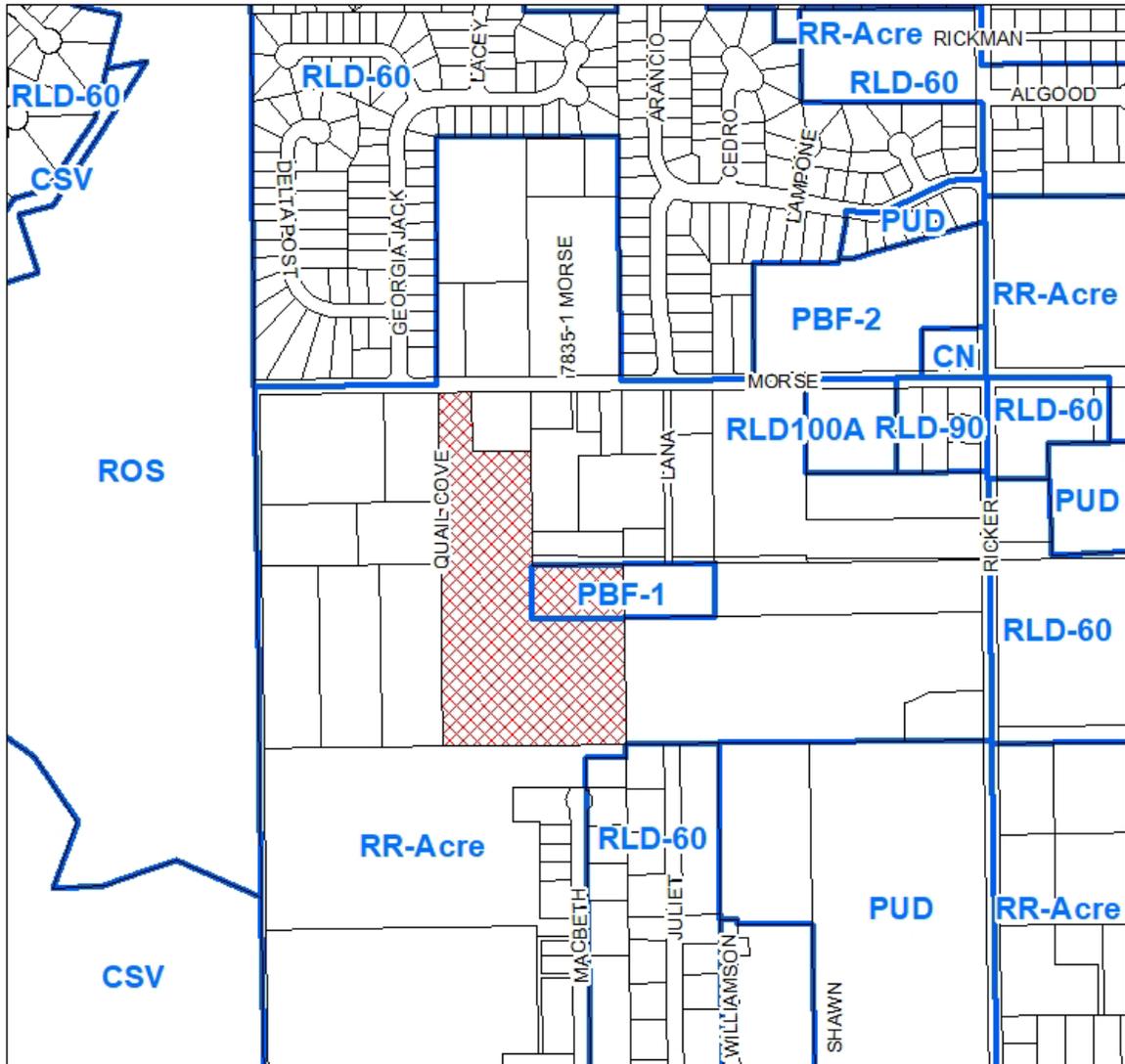
1. The original legal description dated March 16, 2023.
2. The updated written description dated May 4, 2023.
3. The original site plan dated March 7, 2023.

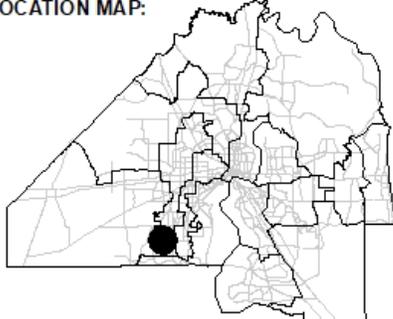
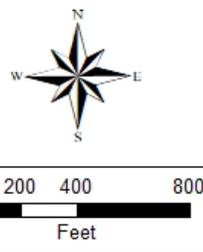


**Aerial view of subject property.**



**View of the Subject Property from Morse Avenue.**



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE &amp; PBF-1</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER</p> <p><b>T-2023-4840</b></p>	 <p>COUNCIL DISTRICT:</p> <p><b>10</b></p> <p><b>EXHIBIT 2</b>  <b>PAGE 1 OF 1</b></p>
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Legal Map