

Planning Commission Commentary: There were two speakers in opposition whose concerns were traffic and prefer single family not townhomes. The Commissioners thought the location was appropriate, although the City should look at repairing streets/sidewalks in the area.

Planning Commission Vote:	6-0
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Jordan Elsbury	Absent
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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City of Jacksonville - Planning and Development Department
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2023-5 TO
PLANNED UNIT DEVELOPMENT

MAY 18, 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 **2023-5** to Planned Unit Development.

Location: 4112 Livingston Road between Old St. Augustine Road and Pine Acres Road

Real Estate Number(s): 155760-0000, 155768-0000, 155768-0010, 153305-0010, 156307-0000

Current Zoning District(s): Residential Low Density-60 (RLD-60)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southeast, District 3

Applicant/Agent: William Michaelis, Esq.
Rogers Towers, PA
1301 Riverplace Boulevard, Suite 1500
Jacksonville Florida 32207

Owner: Mandarin Christian Church of Jacksonville, Florida, Inc.
6045 Greenland Road
Jacksonville Florida 32258

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development 2023-5 seeks to rezone approximately 11.49 acres of land from Residential Low Density-60 (RLD-60) to PUD. The rezoning to PUD is being sought to allow 80 townhomes. Townhomes are the primary use, however the PUD also allows community residential homes, day cares and nursing homes.

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 category 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. Multi-family and single-family dwellings are the predominant development typology in this category. The maximum gross density in the Urban Area shall be 7 units per acre. The PUD is proposing a density of 6.9 units / acre. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2045 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code.

(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:

Policy 1.1.12 Promote the use of Planned Unit Developments (PUDs), cluster developments, and other innovative site planning and smart growth techniques in all commercial, industrial, and residential plan categories, in order to allow for appropriate combinations of complementary land uses, and innovation in site planning and design, subject to the standards of this element and all applicable local, regional, State and federal regulations.

Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

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.

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.

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 2045 Comprehensive Plan and Land Development Regulations.

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.

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.

(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.

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 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 lands for a multi-family development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis for 2045 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

(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: Based on the written description and site plan, the streetscape will be similar to other townhome developments. The proposed townhomes will face the interior loop road and will not have direct frontage on Livingston Road.
- The treatment of pedestrian ways: The site plan shows a sidewalk along the interior roads to Livingston Road. There is an existing sidewalk on the south side of Livingston Road.
- The use and variety of building setback lines, separations, and buffering: The intended plan of development is using similar development standards for townhomes.
- The use and variety of building groupings: The site plan shows fourteen buildings, with 4, 6 or 8 units per building.
- Traffic and pedestrian circulation patterns: The development will have one entrance on Livingston Road.

(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 surrounding area is characterized with single family dwellings and institutional uses. There are two churches and a private school in the immediate area. To the east is a retention pond used by the Camri Green Apartments to the south.
- 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	RLD-90	Single family dwellings
South	MDR	RMD-B	Duplexes

East	RPI	CRO	Church, retention pond
West	LDR	RLD-60	Single family dwellings

- Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: Approximately 0.52 of an acre of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard. 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.

The 0.2 PCT Annual Chance Flood Hazard flood zone is defined as areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

The Site Plan indicates wetlands will be preserved along the southern boundary with a retention pond just north of the wetlands.

The written description and site plan provides for a 20 foot wide landscape area along the north and west property boundaries. The buffer along the west boundary will meet the Uncomplementary Buffer standard of a 6 foot high fence, and at least one tree every 25 feet. There will not be a buffer along the east boundary as there is an existing retention pond.

(6) Intensity of Development

The proposed development is consistent with the Medium Density Residential (MDR) functional land use category as a multi-family townhomes development. The PUD is appropriate at this location because it will provide an alternative form of housing for the area.

- The existing residential density and intensity of use of surrounding lands: Although the surrounding area is primarily single family, there are institutional uses to the east and the townhomes will provide a transition between these uses and the single family to the west.
- The availability and location of utility services and public facilities and services: JEA indicates that an 8 inch water main is along Livingston Road and a 16 inch sewer main at the intersection of Livingston Road and Pine Acres Road.
- The amount and size of open spaces, plazas, common areas and recreation areas: The proposed development will provide 1 acre of active recreation area for the future residents.
- The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: According to the Transportation Planning

Division, Livingston Road is at 80% capacity. The maximum capacity is 37,611 vehicles per day (VPD) and average daily traffic of 30,128 vpd. The proposed 100 townhomes could produce 674 daily trips.

The Traffic Engineer has the following comments:

- ADA compliant sidewalk shall be placed on the site frontage with Livingston Road.
- There shall be no parking created in rights of way proposed to be dedicated to the City of Jacksonville.
- All streets proposed to be dedicated to the City of Jacksonville shall terminate in a city standard cul-de-sac.
- If the streets are to be dedicated to the City of Jacksonville, the all way stop intersections shown on the plans shall be justified per the MUTCD section 2B.07.

The Duval County School District reviewed the application and indicates the development is expected to generate 10 students for Crown Point ES, 4 students for Mandarin MS and 5 students for Mandarin HS. There appears to be sufficient capacity to accommodate the proposed students.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space and recreation area.

(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 there are approximately 0.52 acre of Category III wetlands in the southeastern corner of the site. The wetland has a low functional value for water filtration attenuation and flood water storage capacity due to its isolation and size. In addition the wetland has no clear or significant impact on the City's waterways. 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 site will be developed in accordance with Part 6 of the Zoning Code. The PUD will not provide guest parking if developed with townhomes that have 2 car garages.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system that meets the 2045 Comprehensive Plan. There is an existing sidewalk on the south side of Livingston Road adjacent to the proposed development.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on February 9, 2023, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2023-5** be **APPROVED with the following exhibits:**

1. The original legal description dated October 31, 2022.
2. The revised written description dated May 5, 2023.
3. The revised site plan dated May 4, 2023.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2023-5** be **APPROVED subject to the following condition, which may only be changed through a rezoning:**

1. The development shall be subject to the Transportation Planning Division memorandum dated January 27, 2023 or as otherwise approved by the Planning and Development Department.



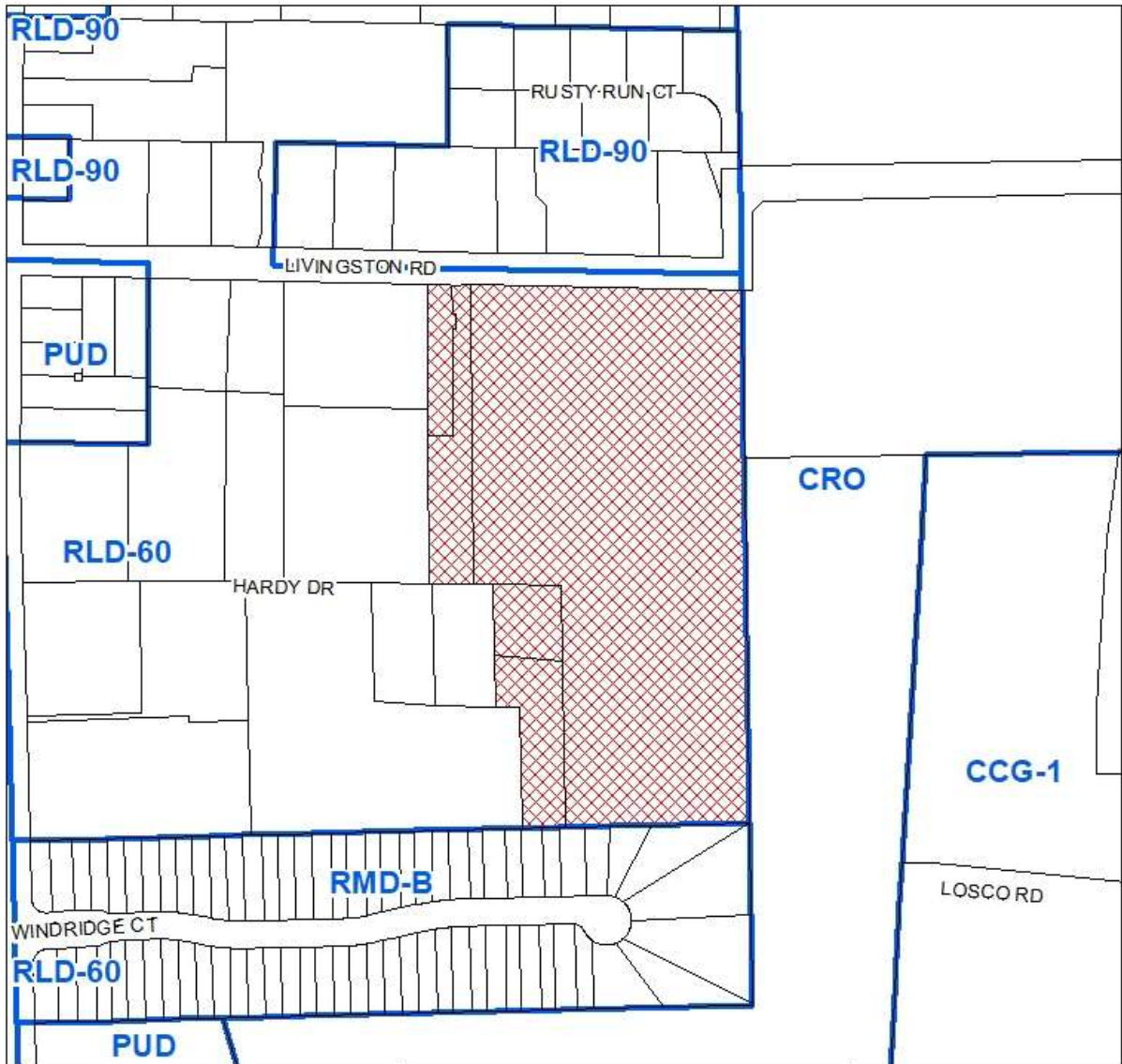
Aerial view of subject property



View of S-curve on Livingston Road.



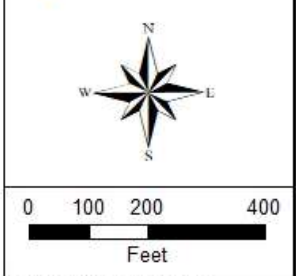
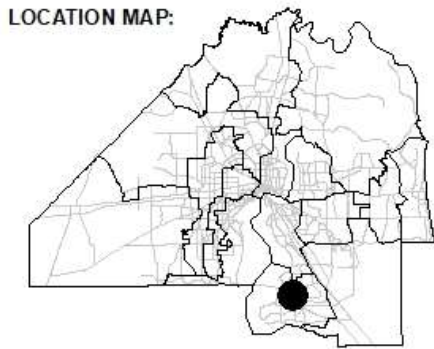
View of Livingston Road and drainage swales



REQUEST SOUGHT:

FROM: RLD-60

TO: PUD



TRACKING NUMBER
T-2022-4620

COUNCIL DISTRICT:
6

EXHIBIT 2
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