



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

Planning and Development Department  
214 N. Hogan St., Suite 300  
Jacksonville, FL 32202  
(904) 630-CITY  
Jacksonville.gov

November 21, 2024

The Honorable Randy White  
The Honorable Kevin Carrico, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report**  
**Ordinance No.: 2024-829**                      **Application for: Ellis Cove PUD**

Dear Honorable Council President White, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

This rezoning is subject to the following exhibits:

- 1. The original legal description dated August 12, 2024.**
- 2. The original written description dated September 25, 2024.**
- 3. The original site plan dated July 31, 2024.**

Recommended Planning Commission Conditions to the Ordinance: **None**

Recommended Planning Commission Conditions that can be incorporated into the Written Description: **None**

Planning Commission Commentary:     There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	<b>5-0</b>
Mark McGowan, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mon'e Holder, Secretary	Absent
Lamonte Carter	Aye
Amy Fu	Absent
Charles Garrison	Aye
Julius Harden	Absent
Ali Marar	Absent
Jack Meeks	Absent
Lara Diettrich (alternate)	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  
214 North Hogan Street, Suite 300  
Jacksonville, FL 32202  
(904) 255-7820  
blewis@coj.net

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2024-829 TO**  
**PLANNED UNIT DEVELOPMENT**

**NOVEMBER 21, 2024**

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 **2024-829** to Planned Unit Development.

***Location:*** 0 Philips Highway (SR 5)

***Real Estate Numbers:*** 168090-0040

***Current Zoning Districts:*** Planned Unit Development (PUD 2022-854)

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

***Current Land Use Category:*** Medium Density Residential (MDR)  
Community General Commercial (CGC)

***Planning District:*** Southeast, District 3

***Council District:*** District 11

***Applicant/Agent:*** Hayden Phillips, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Blvd, Suite 1500  
Jacksonville, Florida 32207

***Owner:*** John Dodson  
Tri Lake Investments, LLC  
700 Ponte Vedra Lakes Blvd  
Jacksonville, Florida 32082

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

**GENERAL INFORMATION**

Application for Planned Unit Development **2024-829** seeks to rezone approximately 31.20± acres of land from Planned Unit Development (PUD) to Planned Unit Development (PUD). The rezoning is being sought in order to develop the property with a maximum of 624 multi-family units. The current PUD allows a maximum of 360 multi-family units and 2 acres of commercial

retail and service establishment uses. The owner request to retain the ability to develop commercial uses, but the intent is to construct multi-family on the entire parcel.

**PUD Ord. 202-854-E was approved with the following conditions:**

- 1. The property shall be developed in accordance with the Transportation Planning Memorandum dated December 14, 2022, or as otherwise approved by the Planning and Development Department.**

The Planning & Development Department has reviewed the condition of the enacted ordinance. The Transportation Planning Division will evaluate the development on the new proposed uses and therefore does not recommend forwarding this condition.

### **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 Community General Commercial (CGC) and 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 2045 Comprehensive Plan.

MDR in the Suburban Area is intended to provide compact low to medium density mixed use 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 and single-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. The proposed PUD rezoning is consistent with the proposed MDR land use amendment application for the subject site.

CGC is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. CGC also allows for multi-family residential at densities up to 20 units per acre in the Suburban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of a development.

The uses listed in the PUD written description and identified under “Entire Property” are allowed in the MDR and CGC land use categories and the uses listed in the PUD written description and identified as “Commercial or a secondary use parcel” are allowed in the CGC LU category.

Development of single-family residences are allowed in the RPI land use category and thus are allowed in CGC.

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

**Objective 1.1** Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

**Policy 1.1.21** Rezoning and amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:

- A. Foster vibrant, viable communities and economic development opportunities;
- B. Address outdated development patterns; and/or
- C. Provide sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

*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.*

**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.

**Policy 3.1.5** The City shall provide opportunities 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 3.2** Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

### **Flood Zones**

Approximately 0.36 of an acres of the subject site is located within the AE flood zone. 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 areas within the 100-year floodplain or SFHA where flood insurance is mandatory.

### ***(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 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): Community General Commercial (CGC) and Medium Density Residential (MDR). 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. 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 624 multi-family dwellings. Moreover, 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 the proposed Planned Unit Development shall be based on the following factors:

**The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas:** Active recreation will be provided with amenity/recreation areas for the Residential Parcel uses as required by Policy 2.2.5 of the Recreation and Open Space Element of the 2045 Comprehensive Plan. Additionally, the Land-Use Table provides 2.14 acres of active recreation and 13.9 acres of passive open space including wetlands.

**The use of existing and proposed landscaping:** Landscaping and tree protection shall be provided in accordance with the City of Jacksonville Zoning Code. For individual parcels landscaping may be provided "off-site" within the PUD and may be shared with other uses, as long as the PUD in its entirety provides sufficient landscaping for all the proposed uses.

**Traffic and pedestrian circulation patterns:** As demonstrated on the attached site plan, the proposed traffic circulation system will be serviced using Philips Highway/US Highway 1. Comments from Traffic & Engineering include:

- Philips Highway is an FDOT right of way and permitting for access to this ROW shall be through FDOT.

The subject site is approximately 31.20 acres and is accessible from Philips Hwy (US 1), an urbanized highway between Old St Augustine Rd and the Duval/St Johns County line. This segment is currently operating at 60.3% of capacity. Philips Hwy currently has a maximum daily capacity of 39,800 vehicles per day (vpd) and average daily traffic of 24,000 vpd.

**The use and variety of building setback lines, separations, and buffering:** The proposed development of 624 multi-family dwellings will follow setback regulations similar to RMD zoning districts except for side setback for more than one principal structure will be reduced from 20 feet to 10 feet and height increase from 45 feet to 60 feet.

**The use and variety of materials:** Buildings, structures, and signage shall be architecturally compatible with those in other uses within the PUD.

**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:** Lighting shall be designed and installed so as to prevent glare or excessive light on adjacent property.

***(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 north of Philips Highway, a major arterial roadway and within the boundaries of the Wells Creek PUD Ord. #2017-0622. The Wells Creek PUD surrounds the property to the North and East with Brookwater Drive just to the East and was approved for the development of single family and townhome communities. Properties to the south include outdoor storage for Arts of Natural Stone Jax zoned CCG-1 and The Felix apartment complex zoned Commercial Residential Office.

**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: 2017-0622	Single Family Dwellings
South	CGC/RPI	CCG-1/CRO	Outside Storage/Multi-Family Apartments
East	LDR	PUD: 2017-0622	Single Family Dwellings
West	LDR	RR-Acre	Vacant

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

The proposed development is consistent with the proposed MDR/CGC functional land use category and will allow for the development of up to 624 multi-family dwellings and commercial uses. The PUD is appropriate at this location because it is consistent with the surrounding residential and commercial 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. There is an existing 24-inch water main along Phillips Hwy and existing 20 inch force main and associated stubs along Philips Hwy.

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

Access to the site is proposed via Philips Highway/US Highway 1. The applicant will need to coordinate with FDOT Permits and Access Management for the proposed driveway connection to Philips Highway. This segment of Philips Highway operates at 79% capacity. FDOT does not anticipate any significant adverse impacts to US-1.

**School Capacity:**



Based on the Development Standards for impact assessment, the 31.20± acre proposed PUD rezoning has a development potential of 624 Multi-Family Dwellings. 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**

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.

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

Active recreation will be provided with amenity/recreation areas for the Residential Parcel uses as required by Policy 2.2.5 of the Recreation and Open Space Element of the 2045 Comprehensive Plan.

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

Review of City data indicates the potential existence of approximate 13.35 acres of Category III wetlands on the subject site. The wetland has an extremely high functional value for water filtration attenuation and floodwater capacity, is located within the 100-year flood zone, and has a direct impact on the City's waterways. The PUD site plan shows that development will be clustered to limit wetland impacts. Based on that information, the proposed amendment may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

***(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 for multifamily residential use shall be provided at a minimum rate of 1.5 spaces per unit with a mix of surface parking, enclosed parking garages or parking structures, and attached garage parking connected to or under the residential buildings. For all commercial uses Parking will be provided in accordance with Part 6 of the City's Zoning Code. All loading areas will comply with Sections 656.605 of the Zoning Code; provided, however, that only one (1) loading space shall be required for development on the Residential Parcel.

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

There shall be a minimum of ten (10) bicycle parking spaces for residential uses.

### SUPPLEMENTARY INFORMATION

The applicant provided proof of posting on November 7, 2024 to the Planning and Development Department that the 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 Ordinance **2024-829** be **APPROVED** with the following exhibits:

1. The original legal description dated August 12, 2024.
2. The original written description dated September 25, 2024.
3. The original site plan dated July 31, 2024.



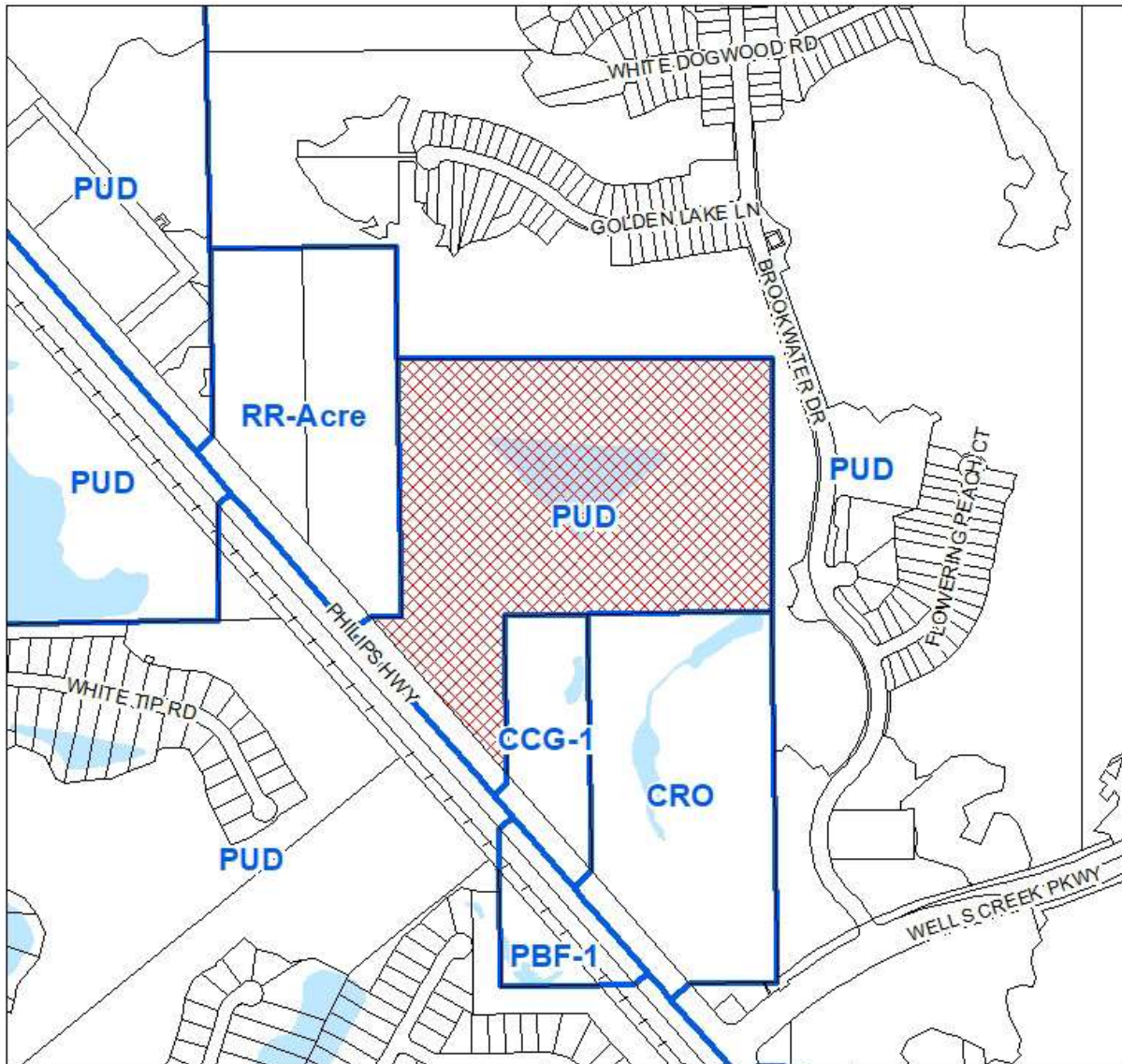
Aerial View



**View of Property to the South**

*Source: Google Maps*



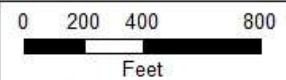
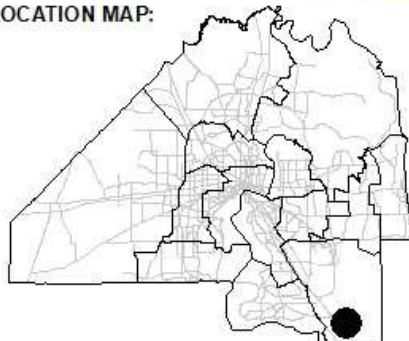


REQUEST SOUGHT:

FROM: PUD

TO: PUD

LOCATION MAP:



COUNCIL DISTRICT:

11

ORDINANCE NUMBER

ORD-2024-0829

TRACKING NUMBER

T-2024-5795

EXHIBIT 2  
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