

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2013-0197 TO

PLANNED UNIT DEVELOPMENT

AUGUST 15, 2013

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 **2013-0197** to Planned Unit Development.

Location: 7759 Plummer Road
Northwest of Old Kings Road, West of Holton Lane

Real Estate Number: 002601-0000

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

Proposed Zoning District: Agriculture (AGR)

Current Land Use Category: Rural Residential (RR)

Planning District: Northwest, District 5

City Council Representative: The Honorable Ray Holt, District 11

Owner: Sharon Lynn Welsh
7759 Plummer Road
Jacksonville, Florida 32219

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for PUD Rezoning **Ordinance 2013-197** seeks to rezone approximately 14.10 acres of land from RR-Acre to PUD. The subject property is within the RR functional land use category as defined by the Future Land Use Map (FLUM) series contained in the Future Land Use Element (FLUE) as adopted as part of the 2030 Comprehensive Plan. The property is

developed with a single family residence built in 1997. Approval of the rezoning request will allow for development of a small dog boarding kennel as well as a single-family residence on the subject property. There are adjacent single-family homes to the east, northeast, and south of the property on properties that are between 0.8 acres and 4 acres. The immediate vicinity is characterized by rural residential uses, as well as horse stables and poultry farms.

Rezoning Ordinance 2002-226-E and Semi-Annual Land Use Amendment 2002-225-E (Application 2001E-002) were introduced by Councilman Warren Alvarez and changed the northwest quadrant of the intersection of Plummer Road and Old Kings Road from AGR Zoning and AGR-IV Land Use to RR Zoning and RR Land Use. The purpose of this change was to bring the current zoning and land use designations in line with the actual size of properties in the area as most properties were smaller than the minimum 2.5 acre requirement for AGR Zoning. The subject property is located within the Suburban Development Character area, and is over 14 acres in size. If limited to small dog boarding and single-family uses, the proposed rezoning is compatible with surrounding development.

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.

(1) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?

Yes. In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the Planning and Development Department finds that the subject property is located in the RR functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan and is consistent therewith. Supporting commercial service establishments, such as a dog kennel, may be permitted within the RR Land Use category in the Suburban Development Area.

(2) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. The evaluation of the goals, objectives and policies of the Comprehensive Plan can be found later in this report.

(3) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

No. The written description and the site plan of the intended plan of development meet all portions of the City's land use regulations and further their intent by providing specific development standards.

Furthermore, 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 as follows:

(1) Consistency with the 2030 Comprehensive Plan

Yes. 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): Residential Rural (RR).

This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan including the following goals, objectives and policies:

FLUE 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.

FLUE Policy 1.1.10 Promote the use of Planned Unit Developments (PUDs), cluster development, 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.

FLUE Policy 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

The PUD will be limited to allowing single-family uses and a small dog boarding kennel only. The more intense uses typically found in AGR will be prohibited.

Therefore, proposed rezoning to Planned Unit Development, as conditioned, is consistent with the 2030 Comprehensive Plan, and further the following goals, objectives and policies contained therein.

(2) Consistency with the Concurrency and Mobility 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 Management System Office (CMSO) prior to development approvals.

(3) Allocation of residential land use

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 of existing and proposed landscaping:

The project will be required to meet the minimal standards set forth in Section 656, Part 12.

Traffic and pedestrian circulation patterns:

The property will be accessed through one point of access on Plummer Road. Final location of any access points are subject to the review of the Development Services Division.

The use and variety of building setback lines, separations, and buffering:

Applicant proposes setbacks consistent with the RR-ACRE Zoning District.

The use and variety of building groupings:

The existing residence and accessory structure will house the dog kennel in the short run. There is a phase II expansion planned with an additional structure and fenced area in the center, north of the property that will house more animals, if that is to occur.

The particular land uses proposed and the conditions and limitations thereon:

Applicant proposes land uses permitted or permitted by exception in the RR (Residential Rural) functional land use category such as family day care homes, foster care homes, churches, neighborhood pocket parks, and home occupations. The applicant adds animal boarding and dog kennels which is typically only permitted in the AGR Zoning District. However, it is the interpretation by the Community Planning Division that animal boarding is a permissible secondary use within the RR functional land use category.

Signage:

The applicant proposes one double faced sign not to exceed 8 square feet and four feet in height. The sign may be free standing or mounted on a mailbox column.

(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 a predominately rural area with single family dwellings on large lots, pastures and planted pines, and horse farms.

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(s)
North	LDR	PUD (2009-530-E)	Proposed mixed use
East	RR	RR-ACRE	Single-family
South	RR	RR-ACRE	Single-family
West	RR	RR-ACRE	Single-family

(6) Intensity of Development

The PUD is appropriate at this location with specific reference to the following:

The existing residential density and intensity of use of surrounding lands:

The use is consistent with the residential density and intensity of surrounding lands. Many surrounding lots are 1.5 to ten acres in size, but are as deep as 600 feet and separated by wetland and unused woodland; providing ample buffering and privacy between existing residents and the development.

The availability and location of utility services and public facilities and services:

Water will be provided by private well and sanitary by a private septic system.

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

The property has direct access to Plummer Road. No mass transit stop is required at this location.

(7) Usable open spaces plazas, recreation areas.

There is no multi-family residential component to the development. No recreation area is required.

(8) Impact on wetlands

Surveying of a 1995 Geographical Information Systems shape file did not identify any wetlands on-site. 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 is required to be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The project will contain an internal and external pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on the required Notice of Public Hearing sign was posted:



Source: Applicant, Sharon Lynn Welsh
Date: July 31, 2013

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2013-0197 be **APPROVED with the following conditions:**

- 1) **The subject property is legally described in the original legal description dated June 25, 2013.**
- 2) **The subject property shall be developed in accordance with the original written description dated June 22, 2013.**
- 3) **The subject property shall be developed in accordance with the original site plan dated June 22, 2013.**



Subject property front gate from Plummer Road

*Source: City of Jacksonville Planning and Development Department
Date: April 09, 2013*



Typical single-family home, adjacent to and across Plummer Road

*Source: City of Jacksonville Planning and Development Department
Date: April 09, 2013*



Single-family residence and horse stables directly across from the property.

*Source: City of Jacksonville Planning and Development Department
Date: April 09, 2013*

