

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2015-0699

TO PLANNED UNIT DEVELOPMENT

NOVEMBER 5, 2015

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 **2015-0699** to Planned Unit Development.

Location: 0 Phillips Highway,
between Phillips Highway Industrial Lane &
Old St. Augustine Road

Real Estate Number: Portions of 168152-0100, 167907-0000 & 168152-0300

Current Zoning District: Residential Low Density – 60 (RLD-60)
Rural Residential – Acre (RR-Acre)
Commercial Office (CO)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community / General Commercial (CGC)
Low Density Residential (LDR)

Planning District: Southeast, District 3

Planning Commissioner: Daniel Blanchard

City Council District: The Honorable Danny Becton, District 11

Applicant/Agent: Curtis Hart
Hart Resources LLC
8051 Tara Lane
Jacksonville, Florida 32216

Owner: William H. Powell
Davis Creek Forest Inc. &
Sweetwater Farm Enterprises Inc.
219 Newnan Street
Jacksonville, Florida 32202

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2015-0699** seeks to rezone approximately 35.12± acres of land from RR-Acre, RLD-60 and CO to PUD. The rezoning to PUD is being sought for the purpose of developing a total of 135 single-family detached residential units on 50 foot wide lots. Maximum height of structures will be similar to those found in the conventional Code; setbacks will be similar to conventional Zoning Districts, with front setbacks deviating from the standard 20 feet for structures, to 15 feet for the front of the main structure, and 20 feet for the attached garage. Lot coverages are requested to be slightly higher at 65%. Only 15.57 acres of the site will be developed into single family dwellings, with the remainder in passive open space, stormwater ponds, and road infrastructure. The applicant has proposed .53 acres of land for active recreation.

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. The Planning and Development Department finds that the subject property is located in the Community / General Commercial (CGC) & 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 2030 Comprehensive Plan. The only portion of the project that will be in the CGC land use category will be the access road, with the entirety of the single family lots contained in the LDR category. The LDR land use category is generally defined as a category that provides for low density residential development. Single-family detached housing should be the predominate development typology in this category. Density, location and mix of uses shall be pursuant to the Development Areas as set forth in the 2030 Comprehensive Plan.

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.

(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?

Yes. The written description and the site plan of the intended plan of development meet most portions of the City's land use regulations except those related to recreation and lot coverage; however, if the plan is approved as conditioned, then it will meet the land use regulations in full.

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

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) CGC & LDR. As previously mentioned, the only portion of the project located in the CGC category will be the access drive, as noted on the provided site plan, dated October 21, 2015, labeled exhibit E. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan including the following goals, objectives and policies:

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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

The subject area of this proposed PUD is an enclave of undeveloped land, surrounded by other residential PUD's and Industrial Business Park (IBP) Zoning Districts. The corridor along Phillips Highway to the north is dominated by the Industrial Light (IL) zoning district. This proposed PUD would provide infill development, while clustering the number of homes to producing negative impacts to existing wetland areas.

Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

The proposed residential project is situated between several other large PUD Zoning Districts, as well as a few large tracts in the IBP Zoning District. The proposed single family lots at 50 feet in width, provide a transition between the existing residential, and the IBP properties to the north and west.

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.

The proposed PUD would provide a clustered design to the residential lots, protecting existing wetland areas, and the design, with a long extended drive leading to the residential area, would protect the existing Commercial Office (CO) zoning district for future commercial development. Additionally, the CO Zoning District along Phillips Highway will transition to the proposed residential PUD, and the proposed PUD would again buffer existing residential PUDs in the area from the IBP uses to the north and west.

Policy 1.1.20 Development uses and densities shall be determined by the Development Areas described in the Operational Provisions for the Central Business District (CBD); Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA) as identified in the 2030 Comprehensive Plan, in order to prevent urban sprawl, protect agricultural lands, conserve natural open space, and to minimize the cost of public facilities and services.

The proposed PUD is only request for portions of the listed parcels. The proposed site plan shows how the development will avoid or protect existing wetland areas, and concentrate the single family homes into the area that is not listed as wetland.

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.

As previously noted, with only minor variations in setback and lot coverage, the requested PUD adheres to the standard Code requirements for RLD-50 substantially.

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 existence and the location of open spaces, plazas, recreational areas and common areas:

Active recreation will be provided with the Amenity Areas and Preservation areas pursuant to Policy 2.2.3 of the Recreation and Open Space Element of the 2030 Comprehensive Plan. Staff is proposing as a condition, that the two areas noted for active recreation be combined into one larger, more functional space, as opposed to the 3 shown on the site plan. Staff also recommends the ratio of recreation will match that of 1 acre of recreation land per 100 residential units, as required by Code. The developer has proposed to simply utilize the remaining space left over from the lot design to account for the recreation space required. This would be a disservice to the City and the future

The use of existing and proposed landscaping:

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

The treatment of pedestrian ways:

The Applicant will provide sidewalks and bike paths consistent with Section 654.133 of the Zoning Code.

The use of topography, physical environment and other natural features:

A large portion of the property contained in the will remain undeveloped as there are numerous wetlands throughout the total acreage. The purpose of the proposed PUD is to allow more flexibility in site design, while preserving a large are of wetlands located to the north and east.

Traffic and pedestrian circulation patterns:

The property will be accessed from Phillips Highway. A review by the Development Services Division produced the following comments in their memorandum dated October 26, 2015:

1. Phillips Highway is a FDOT roadway and subject to FDOT review/permit for number, design and location of accesses as well as required offsite improvements.

2. Roadways shall meet design standards of the Subdivision Code and Section 3 of the Land development Procedures Manual.
3. Provide sidewalks for subdivision per Section 2 of the Land Development Procedures Manual.
4. Signs, fences, walls and landscaping shall be located so that horizontal line of sight is unobstructed at intersections.

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

The applicant has proposed 50 foot wide lots, with front setbacks for the primary structure to be 15 feet, and 20 feet for the attached garage. The side and rear setbacks, 5 feet side and 10 feet rear, match that of the RLD-50 Zoning District. The proposed lot coverage of 65%, coupled with the minimal proposed recreation area, will make this project unsustainable.

Signage:

Applicant proposes a unified signage program consisting of Community Identity Monument signage at the entrance to the PUD. The proposed signage would be one of the following options, decided at the developer's discretion, with designs approved by the Planning and Development Department.

- (i) one non-illuminated double faced sign not exceeding a maximum of twenty-four (24) square feet in area, excluding border and columns
- (ii) A maximum of two single-faced signs, non-illuminated, not exceeding a maximum of twenty-four (24) square feet in area, per sign, excluding border and columns, may be erected along Phillips Highway on either side of the subdivision entrance road, and/or in a median within the subdivision entrance road. Sign materials shall include brick, stone or stucco borders and/or columns. Front entrance signage shall be landscaped and irrigated and may have indirect lighting.

Also, Real estate signs (in compliance with Section 656.1306, Zoning Code) and construction signs (in compliance with Section 656.1307, Zoning Code) also will be permitted. Temporary sign(s) of a maximum of twenty-four (24) square feet in area and twelve (12) feet in height for model homes also shall be permitted. All maintenance of signs shall be the responsibility of Developer and/or owners association.

(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 Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	BP, LI, MU	AGR, PUD	Vacant/Wetlands
East	MU	AGR, LDR	Vacant, Power lines
South	MU, CGC, LDR	LDR, PUD	Vacant, Open Storage
West	LI, CGC	CO, IL, IBP	Warehouse, Open Storage, Single Family

(6) Intensity of Development

The proposed development is consistent with the LDR functional land use category and shall not exceed a maximum gross density of 3.8 dwelling units per acre.

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

The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD:

Lots are individually owned providing homeowner privacy. Street pattern will slow traffic adequately; lack of through traffic provides privacy and security.

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

The will be served by city sewer and water.

(7) Usable open spaces plazas, recreation areas.

The project will provide .53 acres of active recreation space. Documentation and instrumentation providing for ownership and maintenance of common facilities will be recorded in the public records prior to issuance of building permits. Active recreation/amenities shall be provided at a ratio of a minimum of one acre of recreation land per one hundred residential units.

(8) Impact on wetlands

Surveying of a 2004 Geographical Information Systems shape file identified numerous wetlands on-site. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

The subject site is less than 50 acres in size, and therefore a listed species survey is not required.

(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 pedestrian system that meets the 2030 Comprehensive Plan. There will also be external sidewalks as required.

SUPPLEMENTAL INFORMATION

The applicant submitted a signed and notarized Sign Posting Affidavit dated May 27, 2015 that indicated the required Notice of Public Hearing sign was posted (attached).



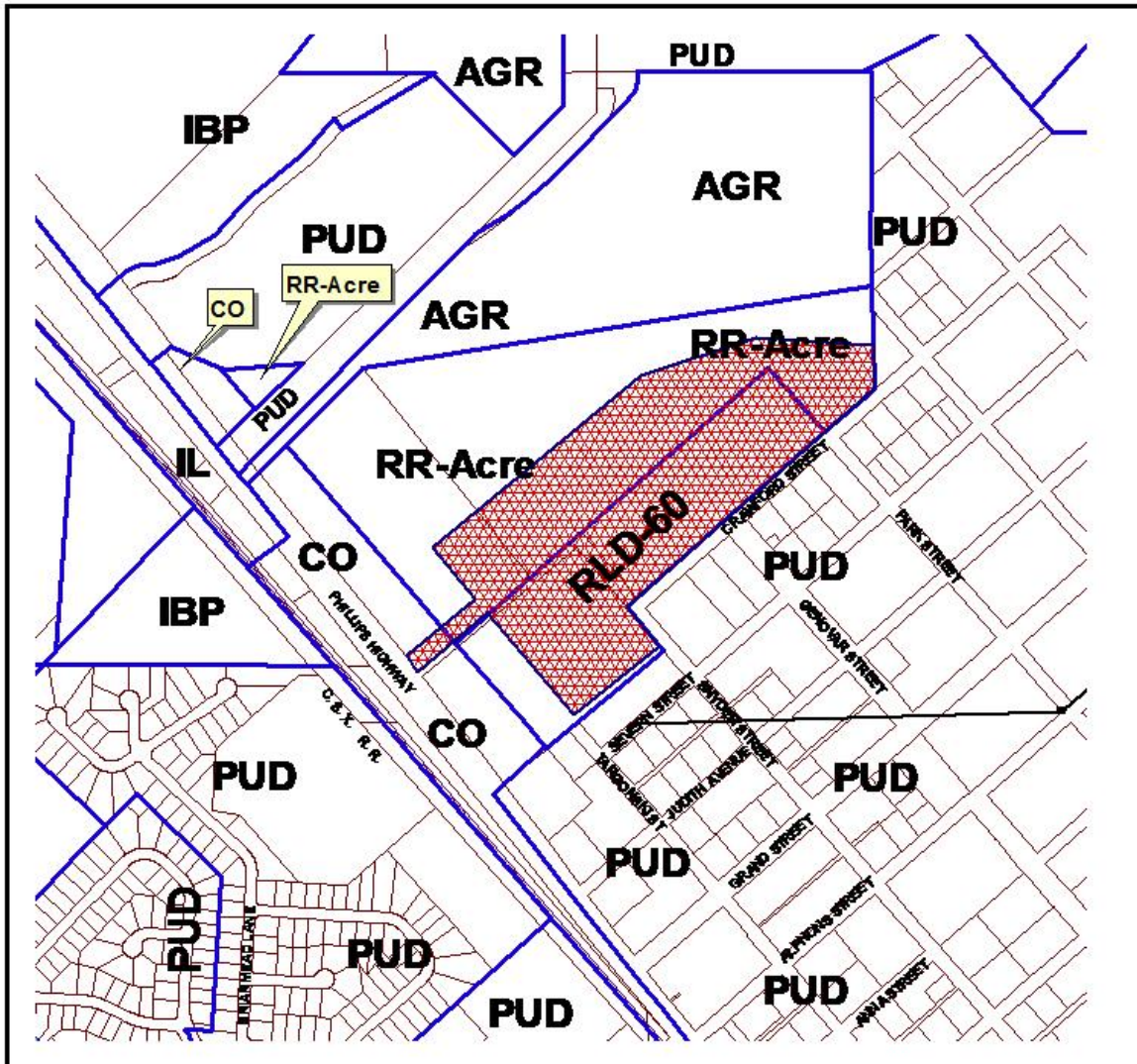
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2015-0699 be APPROVED with the following exhibits:

1. The original legal description dated July 20, 2015.
2. The revised written description dated October 14, 2015.
3. The revised site plan dated October 21, 2015.
4. The Development Services Division Memorandum dated October 26, 2015 or as otherwise approved by the Planning and Development Department.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning 2015-0699 be APPROVED subject to the following conditions, which may only be changed through a rezoning:

1. Active recreation/amenities such as playgrounds, amenity/recreation center, pool, cabana/clubhouse, health/exercise facility, and similar uses shall be provided at a ratio of a minimum of one acre of recreation land per one hundred (100) residential units. Additionally, the recreation areas shall be combined into one active recreational area.
2. The maximum lot coverage shall be limited to 50% for all buildings and structures.



<p>REQUEST SOUGHT:</p> <p>FROM: RR-Acre, CO & RLD-60</p> <p>TO: PUD</p>		
<p>ORDINANCE NUMBER: ORD-2015-0699</p>	<p>TRACKING NUMBER: T-2015-0944</p>	<p>0100 Feet</p> <p>COUNCIL DISTRICT: 11</p> <p>Exhibit 2</p>