

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2016-54 TO**

**PLANNED UNIT DEVELOPMENT**

**FEBRUARY 4, 2016**

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 **2016-54** to Planned Unit Development.

*Location:* West side of Grover Road between Cedar Point Road and Fox Lane

*Real Estate Number(s):* 106381-1200

*Current Zoning District:* Planned Unit Development (PUD 2005-1101-E)

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

*Current Land Use Category:* Rural Residential (RR)

*Planning District:* North, District 6

*Planning Commissioner:* Marshall Adkison

*City Council District:* The Honorable Al Ferraro, District 2

*Applicant/Agent:* Nate Day  
H. Smith, Inc.  
1 San Jose Place, Suite 7  
Jacksonville, Florida 32257

*Owner:* Grover Road Partners, LLC  
3741 San Jose Place, Suite 7  
Jacksonville, Florida 32257

*Staff Recommendation:* **APPROVE WITH CONDITIONS**

**GENERAL INFORMATION**

Application for Planned Unit Development **2016-54** seeks to rezone approximately 55.56 acres of land from PUD to PUD. The rezoning to PUD is being sought to develop the property with a

maximum of 111 single family lotgs. The minimum lot area and width is 6,600 square feet and 60 feet, respectively. Included in the proposed development are recreational facilities for the residents and their guests. The current PUD is for a maximum of 103 single family dwellings with a mixture of 60 foot wide and 70 foot wide lots.

### **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 Rural Residential (RR) 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 2030 Comprehensive Plan. Rural Residential (RR) is a category intended to provide rural estate residential opportunities in the suburban and rural areas of the City. Generally, single-family detached housing will be the predominant land uses in this category. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

***Principal Uses:*** Single family dwellings.

***Secondary Uses:*** Secondary uses shall be permitted pursuant to the Residential land use introduction. In addition, the following secondary uses may also be permitted: Borrow pits; Animals other than household pets; Foster care homes; and Drive through facilities in conjunction with a permitted use.

The maximum gross density in the Suburban Area and Rural Area shall be 2 units/acre when both centralized potable water and wastewater are available to the site; and the maximum gross density shall be 1 unit/acre when served with on-site potable water and wastewater; and there shall be no minimum density. The proposed PUD proposes a gross density of 1.998 dwelling units to the acre and will have full urban services available to the site. 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?*

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?*

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 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 category as identified in the Future Land Use Map series (FLUMs): Rural Residential (RR). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

**FLUE Policy 1.1.8** Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.

**FLUE Policy 1.1.9** Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

**FLUE 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.

**FLUE 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.

*(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 single family development. 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 or absence of, and the location of open spaces, plazas, recreational areas and common areas: The existing wetlands will provide open spaces and screening for the development.

Focal points and vistas: The existing wetlands and proposed lakes will provide vistas for the future residents.

The use of topography, physical environment and other natural features: There are significant wetlands along the western area of the site. These wetlands will be preserved and remain undeveloped.

The use and variety of building setback lines, separations, and buffering: The proposed setbacks are consistent with conventional zoning district. The exception is the owner is requesting the minimum front yard of 15 feet for the structure and 20 feet for the garage.

The variety and design of dwelling types: The written description indicates the houses will be 1 and 2 stories in height.

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:

*(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 an area where the primary uses are single family dwellings on large lots and large tracts of land owned by the St. Johns River Water Management District (SJRWMD). Residential development at this location complements the existing residential uses by

increasing the housing options for those in the immediate area.

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	RR	RR-Acre	Single family dwellings / COJ
South	RR	RR-Acre	Single family dwellings
East	RR	RR-Acre	Single family dwellings
West	ROS	PBF-1	COJ William F. Sheffield Regional Park

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: The following conditions were included in the current PUD. Condition (b) is not needed as the Traffic Engineer and Development Services Division will determine the need, if any, to improve Grover Road. Condition (d) is required by the Zoning Code and will be reviewed and approved by the City’s Landscape Architect.

Although the staff has determined there are no changes to the area since the original conditions were approved, staff recommends changes to conditions (c) and (f). Originally the Department had concerns over the number of houses abutting a large lot with one house. However, previous developments with similar conditions have created unintended consequences and made enforcement difficult. The landscape buffers often are slowly encroached upon by either abutting property owners or the future residents themselves. **Staff recommends a 20 foot rear setback to provide a greater distance between the existing houses and future houses. In lieu of the 20 foot natural buffer, the staff recommends a visual buffer and trees to provide screening to the adjacent Residential Rural Zoning District.**

- (b) Grover Road, from Cedar Point Road to the development entrance, shall be widened to a 24-foot pavement width, or as otherwise approved by the Traffic Engineer, prior to the issuance of an occupancy permit for any residential structure with the development.
- (c) The development shall contain a thirty-foot rear setback from the overall property boundary for lots adjacent to land zoned RR.
- (d) A detailed recreation plan shall be submitted to the Planning Department at the time of Verification of Substantial Compliance with the PUD, and is subject to the review and approval of the Planning and Development Department.
- (e) The residential buffer pursuant to Section 656.1222 of the Zoning Code is subject to the review and approval of the Planning and Development Department.
- (f) The twenty-foot natural perimeter buffer depicted on the site plan dated November 23, 2005 shall be an undisturbed natural buffer. This buffer shall be recorded as a separate tract of land and shall be maintained by the Homeowners Association. If



*(9) Listed species regulations*

A wildlife survey was conducted by LG2 Environmental Solutions, Inc. on October 30, 2015. The survey found 10 gopher tortoise burrows on the property. A permit to relocate the tortoises will be required prior to any site development.

*(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 2030 Comprehensive Plan.

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on January 25, 2016, 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 **2016-54** be **APPROVED with the following exhibits:**

1. The original legal description dated November 22, 2015.
2. The original written description dated January 5, 2016.
3. The original site plan dated October 29, 2015.
4. The subject property shall be developed in accordance with the Development Services Division Memorandum dated January 26, 2016 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 **2016-54** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. The development shall contain a twenty (20) foot rear setback from the overall property boundary for lots 1 through 14 and lots 58 through 89.
2. The owner shall install and maintain a six (6) foot high, 85% opaque fence along the south property line (lots 1-14) and north property line (lots 58-89). A two (2) inch caliper broadleaf evergreen tree shall be planted every twenty-five (25) feet along the fences.





Aerial view of property.



View of property on Grover Road



View of property on Grover Road



Typical dwelling adjacent to the proposed development.

