

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2016-069

TO PLANNED UNIT DEVELOPMENT

REVISED AUGUST 18, 2016

The Planning and Development Department hereby forwards to the Planning Commission and Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning Ordinance **2016-069** to Planned Unit Development.

<i>Location:</i>	East side of Lem Turner Road North of Jerry Lane and South of Bessent Road
<i>Real Estate Number(s):</i>	021047 0000 021048 0000 021049 0000
<i>Current Zoning District:</i>	Residential Rural-Acre (RR-Acre). Commercial Community General-2 (CCG-2)
<i>Proposed Zoning District:</i>	Planned Unit Development (PUD)
<i>Current Land Use Category:</i>	Low Density Residential (LDR) Community General Commercial (CGC)
<i>Proposed Land Use Category:</i>	Low Density Residential (LDR)
<i>Planning District:</i>	North, District 6
<i>City Council District:</i>	The Honorable Katrina Brown, District 8
<i>Planning Commissioner:</i>	Marshall Adkison
<i>Applicant/Agent:</i>	Greg Kupperman Green & Kupperman, Inc. 200 First Street, Suite B Neptune Beach, Florida 32266
<i>Owner:</i>	Patricia L. Odom 10567 Lem Turner Road Jacksonville, Florida 32218

Staff Recommendation:

APPROVE WITH CONDITIONS

GENERAL INFORMATION

The revised Application for Planned Unit Development 2016-069 seeks to rezone approximately 18.45± acres of property from Residential Rural-Acre (RR-Acre) and Commercial Community General-2 (CCG-2) to Planned Unit Development (PUD). The applicant submitted a revised PUD application that amended the application to increase the total acreage from 16.95 acres to 18.45 acres by the addition of RE#021049 0000, which is located east of Lem Turner Road and just north of the prior application. The revised PUD will permit the development of an additional 9 lots for a total of 65 single family homes, on 40 feet wide lots. Maximum lot coverage is proposed to not exceed 50%. The proposed pocket park has decreased from 4,594 square feet to 4,310 total square feet. The layout of the subdivision will provide for a development scheme that is compatible with the established pattern of development in the nearby area and bring a competitive and additional housing product to the North Jacksonville area.

There is a companion Application for Small Scale Land Use Amendment to the Future Land Use Map Series of the 2030 Comprehensive Plan, Ordinance 2015-068 (Application 2015C-026) requesting to change the functional land use category of a portion of the subject property from Community General Commercial (CGC) to Low Density Residential (LDR). The Planning and Development Department has submitted its report on the companion Small-Scale Land Use Amendment 2015C-026 and recommends that the same be **approved**.

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 Low Density Residential (LDR) and the Community General Commercial (CGC) 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. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series 2015C-026 (Ordinance 2016-068) that seeks to amend the portion of the site that is within the CGC land use category to Low

Density Residential (LDR). Staff is recommending that Application for Small-Scale Land Use Amendment to the Future Land use Map Series 2015C-026 be **approved**. 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. A description of the category is noted below.

The uses provided herein shall be applicable to all LDR sites within the Suburban Area:

Principal Uses: Single family and Multi-family dwellings; Commercial retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND site area; and other uses associated with and developed as an integral component of TND.

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; Drive through facilities in conjunction with a permitted use; Assisted living facilities and housing for the elderly, so long as said facilities are located within three miles of a hospital and on an arterial roadway; and Commercial retail sales and service establishments when the site is located at the intersection of roads classified as collector or higher on the Functional Highway Classification Map, however logical extensions and expansions of preexisting commercial retail sales and service establishments are exempt from the roadway classification and intersection requirements.

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 meet all portions of the City's land use regulations and further 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): Low Density Residential (LDR). 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 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.

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 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.

FLUE 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.

FLUE 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

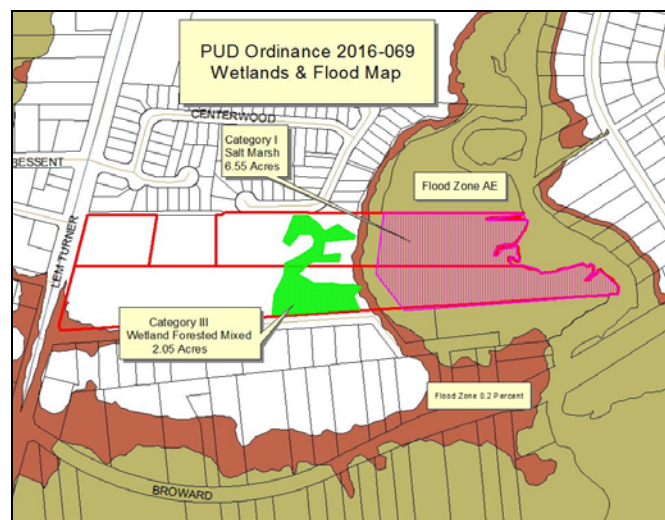
Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

FLUE Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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.

FLUE Policy 7.1.1 The Planning and Development Department shall consider the land use impact on the St. Johns River and its tributaries by reviewing the future land use designation and land development regulations of those properties that are contiguous with and immediately adjacent to a water body. The following concerns will be considered for those properties: wetlands, impervious surface potential, Coastal High Hazard Area (CHHA), Septic Tank Failure Areas, Environmentally Sensitive Areas, Flood Zones, Aquifer Recharge Zones, Wellhead Protection Areas.

CCME Policy 7.3.12 The City shall direct future residential density away from Coastal High Hazard Areas and shall mitigate the impacts of existing residential development rights through traditional and innovative planning tools including but not limited to Preservation Project land purchases and emergency shelter deficit reduction through mitigation assessments.

The subject property includes areas along the eastern border of the site that are located within the Coastal High Hazard Area (CHHA). However, the site plan associated with the proposed development clusters the proposed lots outside of the CHHA area and therefore, the proposed PUD is consistent with CCME Policy 7.3.12.



(2) Consistency with the Concurrency Mobility and Management System

Pursuant to the provisions of Chapter 655 Concurrency Mobility and Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency Mobility and Management System Office (CMSO) 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.

The proposed land use map amendment has a potential development of 65 single-family dwelling units. This development was analyzed to determine whether there is adequate school capacity, for each school type (elementary, middle, and high school), to accommodate the proposed development, based on the LOS standards (105% of permanent capacity), for the concurrency service areas (CSAs), not the closest schools in the area for elementary, middle and high schools, and 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 Type	CSA	2015-16 Enrollment/CSA	Current Utilization (%)	New Student/Development	5-Year Utilization (%)	Available Seats
Elementary	1	12,683	64%	11	63%	7,290
Middle	1	8,909	81%	5	95%	807
High	1	7,502	72%	6	74%	3,234
Total New Students				22		

Total Student Generation Yield: 0.333

Elementary: 0.167

Middle: 0.073

High: 0.093

The analysis of the proposed residential development does not reveal any deficiency for school capacity.

(4) *Internal compatibility*

The development shall address access and circulation within the site. The proposed PUD limits the uses permitted on the subject property to single-family with a common development scheme, unified architectural theme that contains special provisions for signage, landscaping, buffering, sidewalks, and other issues relating to the common areas and those used for vehicular and pedestrian traffic. Access to the property is available from Lem Turner Road and Centerwood Court. A non-access easement will be recorded along Jerry Road. Final design and location of the access points are subject to the review and approval of the City Traffic Engineer and the Planning and Development Department.

The applicant has not demonstrated a need to increase the lot coverage to 55%. The Zoning Code permits lot coverage to 50%. The Department is of the opinion that increasing the lot coverage will be a detriment to the health, safety and welfare of the residents by reducing the amount of open space on each lot.

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The proposed PUD will provide 4,310 square feet of pocket park internal to the site (66 square feet per unit). In addition, wetlands comprise a large portion of the site providing additional passive open space of approximately 7.3+/- acres.

Traffic and pedestrian circulation patterns: The PUD proposes one full access point from Lem Turner Road and one access to the adjoining single-family neighborhood to the north, at Centerwood Drive North. The project will contain sidewalks which meet the 2030 Comprehensive Plan. The final location of the access point is subject to the review of the FDOT and the Development Services Division.

A review of the project by the Development Services Division in their memorandum dated February 4, 2016 produced the following comments:

- **Lem Turner Road is a FDOT maintained roadway. Proposed road location shall be determined by FDOT.**
- **Roadways shall meet the design criteria of Section 3 of the Land Development Procedures Manual & Chapter 654 Subdivision Code.**
- **Provide sidewalks per Section 2.2.1, Option A, B or C, of the Land Development Procedures Manual.**
- **Signs, fences, walls and landscaping shall be located so that horizontal line of sight is unobstructed at intersections.**

- **There shall be no access to Jerry Lane (substandard width roadway).**

The use and variety of building setback lines, separations, and buffering: The proposed PUD written description contains development standards which are similar to the current Zoning Code requirements for the RLD-40 zoning district. A 3 feet side yard setback and 10 feet rear yard setback are proposed.

A summary of the proposed development is as follows:

Total Gross Acres	18.45+- Acres
Total Number of Units Single Family	65
Active Recreation Area	4,310 square feet
Total Passive Open Space (Ponds, Wetlands & Open Space)	7.3 Acres
Amount of Public & Private R/W	1.9 Acres.
Maximum Lot Coverage	50%

Signage: The applicant proposes signage consistent with the requirements of low density residential zoning within Part 13 of the Zoning Code.

Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any use within the proposed Planned Unit Development: The Applicant will record a non-access easement along the length of Jerry 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: Lem Turner Road is a 4 lane minor arterial roadway with sidewalks on both sides of the road. Directly across the subject property on Lem Turner Road are 3 churches and an auto shop. Directly north exists a vacant commercial lot and adjacent to the commercial lot are single family homes in the subdivision of Creekside Bend. (Land Use – MDR). South of the site is a vacant commercial lot that abuts a gas station at the signalized intersection of Lem Turner Road and Broward Road. Additional large lot single family homes are found on the south side of Jerry Lane. The land use is CGC along most of Lem Turner Road, however there are many vacant lots and little commercial development in this 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	Current Use
North	MDR/LDR/CGC	PUD (2004-62-E) RR-ACRE/CCG-2	SF Vacant
South	LDR/CGC	RLD-60/ CCG-2	SF/Vacant
East	LDR	RLD-60	SF
West	CGC	PUD (1996-1043-E) CCG-2	Church Auto-shop

(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. This PUD proposes a gross density of 3.3 dwelling units to the acre and over 7.3+/- acres of recreational and passive open space, and differs from the usual application of the Zoning Code because it contains a significant amount of wetlands on the site and will be designed around and along wetland areas. Substantially more open space will be provided for than with the usual application of the zoning code. It will afford a development with a different option of single family lot sizes within a residential community in keeping with the area’s pattern of development. Creekside Bend to the north is a single-family residential subdivision PUD with lots 45 feet in width.

The availability and location of utility services and public facilities and services: Water, sanitary sewer and electric service will be provided by the JEA.

(7) Usable open spaces plazas, recreation areas.

The PUD will provide a recreation/common area for the community in the form of a pocket park no smaller than 4,310 square feet. The pocket park will include at a minimum of 2 benches, shade gazebo and tot lot. In addition, wetlands and marshland will comprise over 7.3 acres, providing additional passive open space. The PUD is required to comply with the Recreation and Open Space Policy 2.2.4:

ROS Policy 2.2.4

A residential subdivision development of 25 lots to 99 lots shall pay a recreation and open space fee of two-hundred-fifty (\$250) dollars per lot, or provide at least four hundred thirty-five (435) square feet of useable uplands for each lot (and any fraction thereof), to be dedicated as common area and set aside for active recreation. The City shall use recreation

and open space fees collected pursuant to this subsection to improve, enhance, expand, or acquire recreation areas within the same Planning District in which the fees are paid.

(8) Impact on wetlands

The property contains Saltwater Marsh wetlands along the eastern portion of the site. Saltwater Marsh wetlands are classified as Category I wetlands according to the Conservation/Coastal Management Element (CCME) of the 2030 Comprehensive Plan. These wetlands are also located within the AE flood zone and the Coastal High Hazard Area. According to the PUD site plan development will not occur within these areas, consistent with CCME Policy 4.1.5 which limits development within Category I wetlands.

The site also contains an area of Category III wetlands and these wetlands are located within the areas proposed for development within the PUD site plan. According to CCME Policy 4.1.6, development is permitted within Category III wetlands subject to certain performance standards including appropriate mitigation.

Demonstration of compliance with the performance standards for impacts to the Category III will be required during development review process. Development should not occur within the Category I (Saltwater Marsh wetlands).

(9) Listed species regulations

With only 16.95 acres, a wildlife survey is not required.

(10) Off-street parking including loading and unloading areas.

The written description indicates the site will be developed in accordance with Part 6 of the Zoning Code. For front loading garage facades, a 20 feet setback is proposed. A 15 foot setback is proposed for front of the house façade.

(11) Sidewalks, trails, and bikeways

The project shall contain a pedestrian system that meets the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on February 03, 2016, the required Notice of Public Hearing signs were posted.



Source: Staff, Planning and Development Department
Date: February 3, 2016

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2016-069** be **APPROVED with the following exhibits:**

1. The revised legal description dated June 16, 2016.
2. The revised written description dated June 22, 2016.
3. The revised site plan dated June 16, 2016.
4. The development shall proceed in accordance with the Development Services Division memorandum dated February 4, 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 **2016-069** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. The applicant must provide an active recreation area that meets the requirements of Section 656.420, or contribute \$250 per lot to the Parks and Recreation Department at the time of Verification of Substantial Compliance.



Site is currently wooded and undeveloped. Jerry Lane.

Source: Staff, Planning and Development Department
Date: February 3, 2016



View north along Lem Turner Road.

Source: Staff, Planning and Development Department
Date: February 3, 2016



Typical single-family homes along Jerry Lane.

Source: Staff, Planning and Development Department
Date: February 3, 2016



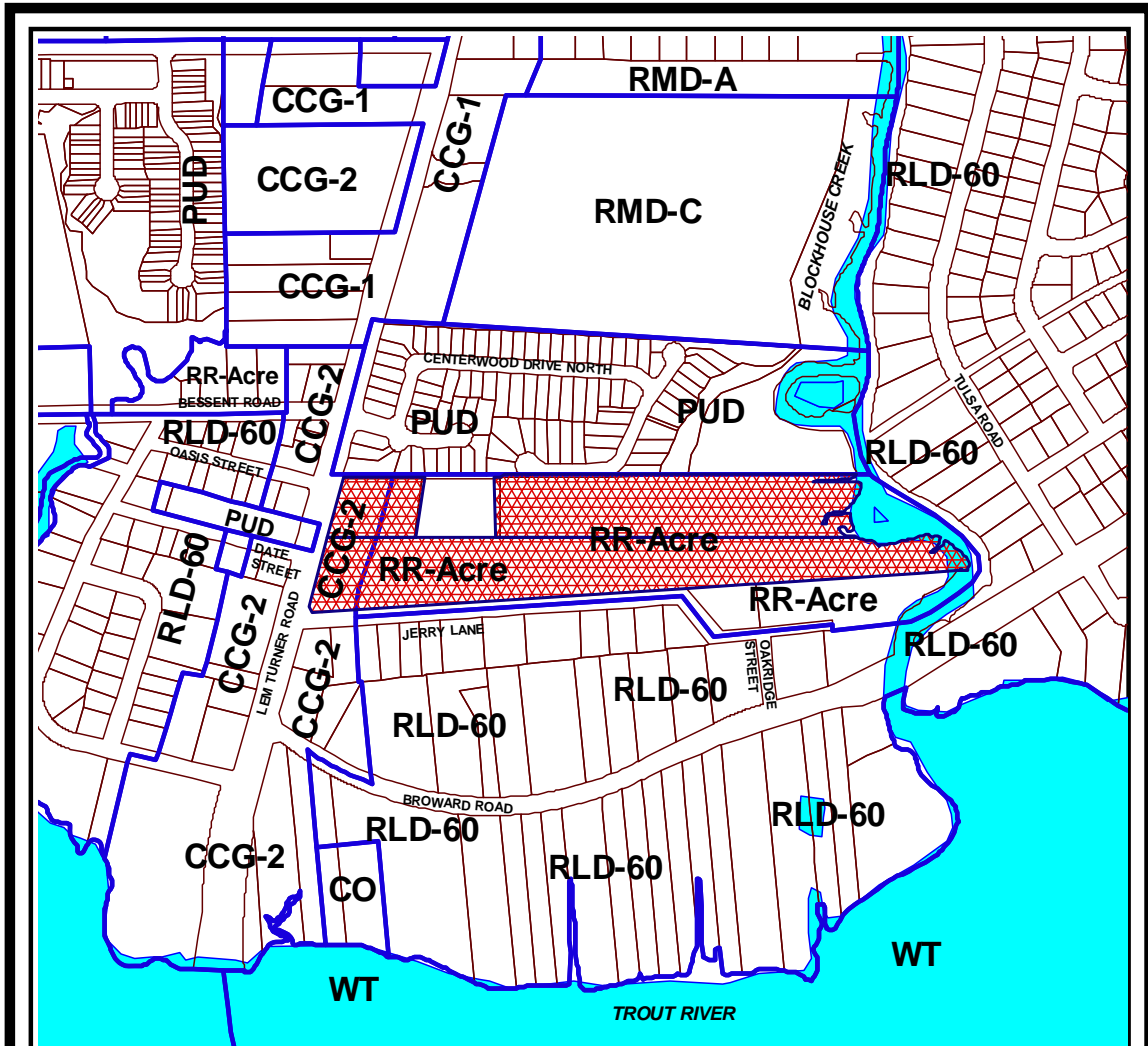
Approximately 7.3+/- acres of the property are wetland/marshland.

Source: Staff, Planning and Development Department
Date: February 3, 2016



Creekside Bend neighborhood to the north, 45 feet wide lots.

Source: Staff, Planning and Development Department
Date: February 3, 2016



<p>REQUEST:</p> <p>FROM: RR-Acre & CCG-2</p> <p>TO: PUD</p>		
<p>ORDINANCE NUMBER: ORD-2016-0069</p>	<p>TRACKING NUMBER: T-2015-1164</p>	<p>COUNCIL DISTRICT: 8</p> <p>Page 1 of 1</p>