

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2016-805 TO
PLANNED UNIT DEVELOPMENT

MAY 18, 2017

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 **2016-805** to Planned Unit Development.

Location: 2629 Loretto Road
between Flynn Road and County Dock Road

Real Estate Numbers: 105635-0005, 105634-0010

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

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southeast, District 3

Planning Commissioner: Daniel Blanchard

City Council District: The Honorable Matt Schellenberg, District 6

Applicant: Paul M. Harden, Esq.
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner: Helen Simon
2629 Loretto Road
Jacksonville, Florida 32223

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Rezoning Ordinance **2016-0391** seeks to rezone 9.38 acres from Rural Residential-Acre (RR-Acre) to Planned Unit Development (PUD) for the purpose of subdividing the property into a maximum of 21 single family lots. The site has frontage on

County Dock Road and Loretto Road. There is some wetland area in the northeast corner of the site. JEA water, sanitary sewer and electric are available.

County Dock Road is a substandard road in that the right of way is less than the minimum required 60 feet. The Development Services Division indicates that access from the road is permitted if the difference between the existing width and the required width is added to proposed subdivision. The developer/owner will be required to reserve an additional 30 feet along County Dock Road.

In 2007 the City Council enacted the Mandarin Road Overlay with additional criteria for any rezoning within the overlay. The parcels are outside the Mandarin Road Overlay. The green color represents the Overlay in the map below.

County Dock Road, Loretto Road and portions of Mandarin Road were designated as scenic and historic corridors pursuant to Ordinance 2001-1009-E. The Ordinance requires any tree within 20 feet of the right of way to be considered a protected tree and shall meet the provisions of the Landscape and Tree Protection Regulations of the Zoning Code. The other condition requires the paved portion of the designated streets to be maintained at their existing width. A copy of the Ordinance is attached at the end of this report. The PUD is not seeking to waive any provision of 2001-1009-E.



Map of Mandarin Overlay

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) 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. The LDR functional land use category permits housing developments in a gross density range of up to seven (7) dwelling units per acre when full urban services are available to the site. The proposed PUD proposes a gross density of 2.2 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. A description of the category is noted below.

Principal Uses: Single family and Multi-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; 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. New LDR subdivisions should meet a standard of connectivity as defined in this element and cul-de-sacs should be avoided.

(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): 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 Goal 1: To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

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 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.

Additionally, the application may be consistent with the listed Goals, Policies and Objectives of the Conservation Coastal Management Element (CCME) and the Sanitary Sewer Sub-Element, if certain steps are taken at the time of development to ensure specific conditions are met.

The proposed development is located contiguous to developed property with the same zoning district (to the east and north). This will ensure a similar type of land use pattern and distribution of growth in this area of the City, while providing for a variety of housing types

(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 not to exceed 21 lots. 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 streetscape: Due to the site plan and development standards, it is expected the proposed subdivision will have a similar streetscape of surrounding subdivisions.

The treatment of pedestrian ways: The proposed development will have internal sidewalks. There are no sidewalks on Loretto Road or County Dock Road. Development Services Division has indicated that sidewalks would not be allowed on County Dock Road due to the substandard road width.

Traffic and pedestrian circulation patterns: The proposed site shows access from Loretto Road and County Dock Road. The Development Services Division has indicated that County Dock Road is a substandard road in that the right of way is less than the minimum required 60 feet. Access from the road is permitted if the difference between the existing width and the required width is added to proposed subdivision. The developer/owner will be required to provide an additional 30 feet along County Dock Road.

The use and variety of building setback lines, separations, and buffering: Applicant proposes standard RLD-90 setbacks for all proposed single-family lots.

(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 property is a single parcel of land, located adjacent to two large lots to the north and south, both developed as single family. The property to the east and west is also developed as single family homes, but at a smaller lot size, consistent with the RLD-90 or below lot requirements for size, dimensions and setbacks.

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</u>
North	RR	RR-Acre	Single family dwellings
	LDR	RLD-90	Single family dwellings
South	LDR	RR-Acre	Single family dwellings
East	LDR	RLD-90	Single family dwellings
West	LDR	RR-Acre	Single family dwellings

(6) Intensity of Development

The proposed development is consistent with the LDR functional land use category and is a single family development, which is not to exceed 21 lots. The PUD is appropriate at this location because it will offer alternative housing options in the area.

The existing residential density and intensity of use of surrounding lands: The density and intensity of the surrounding residential uses is similar to the proposed subdivision. The area directly to the east, Ramsgate subdivision is zoned RLD-90, as is the short cul-de-sac to the north. Immediately surrounding the subject property is zoned RR-Acre, although there are seven lots which do not meet the minimum 1 acre lot size. The overall area is zoned for 1 acre to 1/4 acre lot sizes.

The availability and location of utility services and public facilities and services: JEA has indicated that water and sewer are available.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The site plan shows the main point of ingress/egress on County Dock Road. The City's Traffic Engineer has indicated that changing County Dock Road to "one-way" will allow the roadway to accommodate additional traffic. A second access point is via a 30 foot wide drive to Loretto Road.

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2016/17)	% OCCUPIED	4 YEAR PROJECTION
Crown Point ES #245	5	4	1,104	908	82%	102%
Mandarin MS #259	5	2	1,615	1,534	95%	90%
Mandarin HS #260	5	2	2,504	2,523	101%	90%

(7) Usable open spaces plazas, recreation areas.

The proposed project is less than 25 lots and therefore is not required to provide a recreation area or open space.

(8) Impact on wetlands

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did identify a small area of 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 will be developed in accordance with Part 6 of the Zoning Code.

(11) Sidewalks, trails, and bikeways

The proposed development will have internal sidewalks that will meet the 2030 Comprehensive Plan. There are no sidewalks on Loretto Road or County Dock Road. Development Services Division has indicated that sidewalks would not be allowed on County Dock Road due to the substandard road width.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on April 6, 2017, 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 **2016-805** be **APPROVED with the following exhibits:**

1. The original legal description dated March 1, 2017.
2. The original written description dated February 27, 2017.
3. The original site plan dated February 14, 2017.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2016-805** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. The 30 foot wide access to Loretto Road shall be eliminated.
2. A Phase I Environmental Impact Study shall be prepared by the owner, applicant or developer and submitted to the Planning and Development Department at the time of Verification of Substantial Compliance.
3. A traffic study subject to the review and approval of the Transportation Planning Division shall be conducted by a professional traffic engineer. A methodology meeting shall be held with the City Traffic Engineer prior to the commencement of the study.

4. Prior to requesting a final building inspection or occupying the facility in any manner, the owner, applicant or developer shall submit to the Planning Department separate certification letters confirming that all horizontal and vertical components of the development have been substantially completed, and all conditions to the development order have been satisfied. This condition shall apply to both phased and non-phased developments.



Aerial view of subject property



Current driveway entrance on Loretto Road



View along Loretto Road



Subdivision entrance proposed on County Dock Road



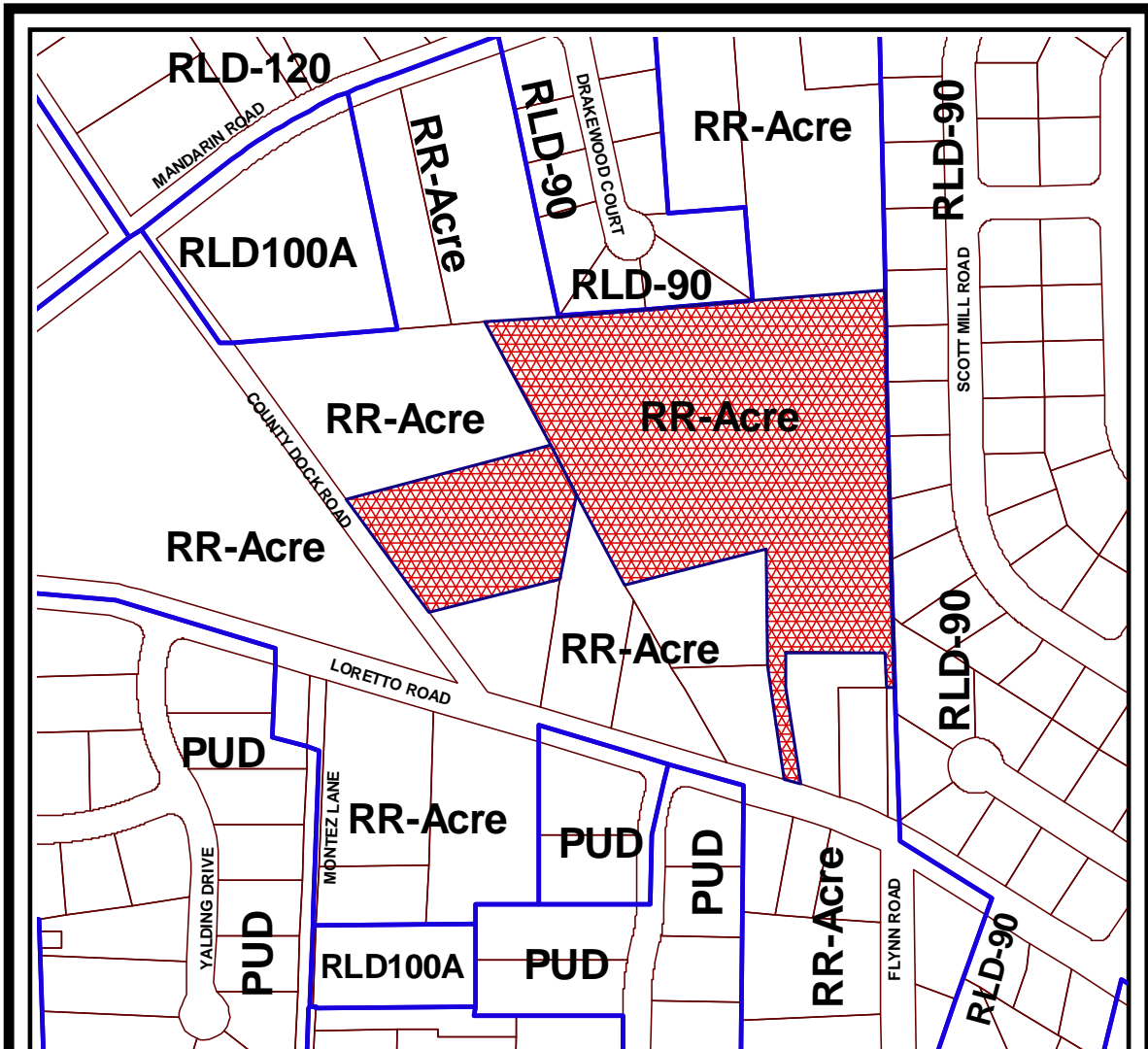
Subdivision entrance proposed on County Dock Road

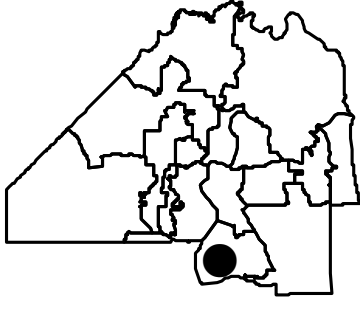
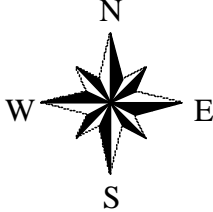


Proposed entrance along County Dock Road



Proposed entrance along County Dock Road



<p>REQUEST:</p> <p>FROM: RR-Acre</p> <p>TO: PUD</p>		
<p>ORDINANCE NUMBER: ORD-2017-0805</p>	<p>TRACKING NUMBER: T-2016-1206</p>	<p>COUNCIL DISTRICT: 06</p> <p>Page 1 of 1</p>