

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2017-0485 TO
PLANNED UNIT DEVELOPMENT

AUGUST 17, 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 **2017-0485** to Planned Unit Development.

Location: 8165 Thor Street, on the south side of Atlantic Boulevard between Century 21 Drive and Corporate Square Boulevard

Real Estate Number(s): 145178 0500, 145178 0530, 145178 0524

Current Zoning District: Residential Medium Density-MH (RMD-MH) and Planned Unit Development (PUD)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Medium Density Residential (MDR)

Planning District: Greater Arlington/Beaches, District 2

Applicant/Agent: Wyman Duggan, Esq.
Rogers Towers, PA
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32202

Owner: Silver Creek Crossing, LLC
5711 Richard Street, Suite 1
Jacksonville, Florida 32216

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2017-0485** seeks to rezone approximately 9.7± acres of property from RMD-MH and PUD to PUD to permit the development of a single family residential subdivision with 48 lots consistent with the surrounding and adjacent PUD which is known as the Sundown Estates PUD (Ordinance 2003-610), as modified by Minor Modifications (MM-7-20 and MM-16-02). The subject property consists of three parcels, which are located at the eastern terminus of Thor Street, Highfield Avenue, and Oden Avenue, south of Atlantic Boulevard and east of Century 21 Drive. The purpose of this rezoning is to

permit development of single-family homes on lots that will be a minimum of 37½ feet wide and to provide for seamless continuity between development of the property and the ongoing development of the Sundown Estates PUD. The property is located within the MDR land use category which permits single-family residential uses.

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 Medium Density Residential (MDR) 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. According to the category description of the Future Land Use Element (FLUE), Medium Density Residential (MDR) in the Urban Area is intended to provide compact medium density residential development. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. The application is consistent with the density limitation for the MDR land use category in the urban area set forth in the FLUE. The application does not provide any recreational/ open space, so the applicant will be subject to fees in accordance with Recreation and Open Space Element Policy (ROSE) 2.2.4.

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.

(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): Medium Density Residential (MDR). The proposed zoning application has been reviewed in relation to the following objectives and policies or text of the 2030 Comprehensive Plan, Future Land Use Element (FLUE) and 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 1.1.12 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 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

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.

The proposed zoning application has been reviewed in relation to the following objectives and policies or text of the 2030 Comprehensive Plan, Conservation/Coastal Management Element (CCME):

CCME/FLUE Policy 4.1.7 High intensity wetlands surveys shall be submitted for all land use amendments where City data indicates potential existence of wetlands on the subject site. Rezoning and site plan applications shall include high intensity wetlands surveys where City data indicates potential existence of wetlands on the subject site and where there is a high potential for wetland impact. For the purposes of this policy, a high intensity wetlands survey shall include the location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Land Use amendments to the Conservation Future Land Use Category are exempt from this requirement.

The proposed zoning application has been reviewed in relation to the following objectives and policies or text of the 2030 Comprehensive Plan, Recreation and Open Space Element (ROSE):

ROSE Policy 2.2.2 The City shall require that all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

ROSE 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.

(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. The property, along with the overall Sundown Estates PUD property consists of over 100 lots of record which contained at one time over 140 mobile homes. A Mobility Fee Calculation Certificate and CCAS or CRC will be filed for the proposed development if required.

(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: This area will be developed in a conventional manner and the lot owners within this PUD will be entitled to utilize the open space and recreation area within the overall Sundown Estates PUD. The property, along with the overall Sundown Estates PUD property to the west consists of over 100 lots of record which contained at one time over 140 mobile homes.

The use of existing and proposed landscaping: The overall development is attempting to preserve large existing trees which will increase the aesthetic value of the development. The west side of the property is bounded by a heavily wooded FDOT drainage ditch and easement that varies between forty (40) to sixty (60) feet in width. This portion of the property will remain in its natural vegetated state. No other perimeter landscape buffer will be provided. Individual lots will meet code landscaping requirements. A perimeter fence up to six (6) feet in height may be provided for the development.

Traffic and pedestrian circulation patterns: Access to the site will be from Highfield Avenue. The design of the access point and internal road as shown on the site plan may vary prior to development; provided, however, that the final design of both shall be subject to the review and approval of the Planning and Development Department and the Traffic Engineer. Upon completion, the internal road will be dedicated to the City. Public roads run throughout the property and provide adequate internal access within the PUD. All homes must be located on a site with frontage on a public right-of-way or an approved private road. The site will be developed with an internal sidewalk system on one side of the road. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the Planning and Development Department.

The variety and design of dwelling types: The proposed PUD is being requested to permit construction of single-family residences on lots approximately 37½ feet wide consistent with the development occurring within the surrounding and adjacent Sundown Estates PUD property. The developer will offer a mix of one and two story dwelling types which will provide variety within the residential area.

(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 of single-family homes on lots that are 37½ feet wide will provide for seamless continuity between these properties and the ongoing development of the surrounding Sundown Estates PUD to the west. Integrating/adding this property to the larger overall PUD complements the existing residential and commercial uses by increasing the housing options in the immediate area. The west side of the property is bounded by a heavily wooded FDOT drainage ditch and easement that varies between forty (40) to sixty (60) feet in width. This portion of the property will remain in its natural vegetated state. No other perimeter landscape buffer will be provided. Individual lots will meet code landscaping requirements. A perimeter fence up to six (6) feet in height may be provided for the development.

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	MDR/RPI	PUD	Single-family dwellings
South	BP	IBP	Office/warehouse/undeveloped
East	MDR	RMD-D	Multi-family dwellings
West	MDR/RPI	RMD-D/PUD	Single-family and multi-family dwellings

The purpose of this rezoning is to permit development of single-family homes on lots that will be a minimum of 37½ feet wide and to provide for seamless continuity between development of the property and the ongoing development of the Sundown Estates PUD. The proposed development is consistent with and comparable to permitted development in the area. The property is bounded on the east and west by multifamily development with MDR land use and RMD-D zoning; single family residential development with RPI land use and PUD zoning is to the northwest; and vacant BP/IBP property is to the south. None of the adjacent residential developments incorporate a perimeter subdivision landscape buffer. The proposed single family residential use is more compatible in both intensity and density with these surrounding uses and zoning districts than the mobile home use that is currently allowed by right on the property. The adjacent single family residential development to the west along Oden Avenue, Highfield Avenue, and Thor Street was also converted from RMD-MH to PUD (Ordinance 2003-610-E), and was developed with substantially similar lot widths as proposed in this application.

(6) Intensity of Development

The proposed development is consistent with the MDR functional land use category and as a single-family development. This PUD as well as the surrounding Sundown Estates PUD contains roughly 9.7+ acres, and the proposed density will not exceed 4.9 units per acre. The PUD is appropriate at this location because it will support the existing residential, commercial and service establishments in the area.

(7) Usable open spaces plazas, recreation areas.

This area will be developed in a conventional manner and the lot owners within this PUD will be entitled to utilize the open space and recreation area within the overall Sundown Estates PUD. The property, along with the overall Sundown Estates PUD property consists of over 100 lots of record which contained at one time over 140 mobile homes.

(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 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 written description states that each lot will have a double garage (at least two off-street parking spaces). That means that the minimum driveway width at the edge of pavement is 22' but can be as much as 30'. Provided this, there will be no room for on street parking. No Parking signs shall be included at a cost to the developer. The signs shall be located on the lot line at every 3 lots. The signs will not be needed in front of the pond.

(11) Sidewalks, trails, and bikeways

There are no existing external sidewalks on Highfield Avenue. An internal sidewalk will be provided on one side of the internal subdivision road as shown on the site plan. The location of all sidewalks is conceptual and final sidewalk plans are subject to the review and approval of the Planning and Development Department.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on August 7, 2017, the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-0485** be **APPROVED with the following exhibits:**

1. The original legal description dated May 17, 2017.
2. The original written description dated May 17, 2017.
3. The original site plan dated January 27, 2017.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-0485** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. No Parking signs shall be included at a cost to the developer. The signs shall be located on the lot line at every 3 lots. The signs will not be needed in front of the pond.
2. Prior to requesting a final building inspection or occupying the facility in any manner, the lead horizontal and lead vertical design professionals 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.



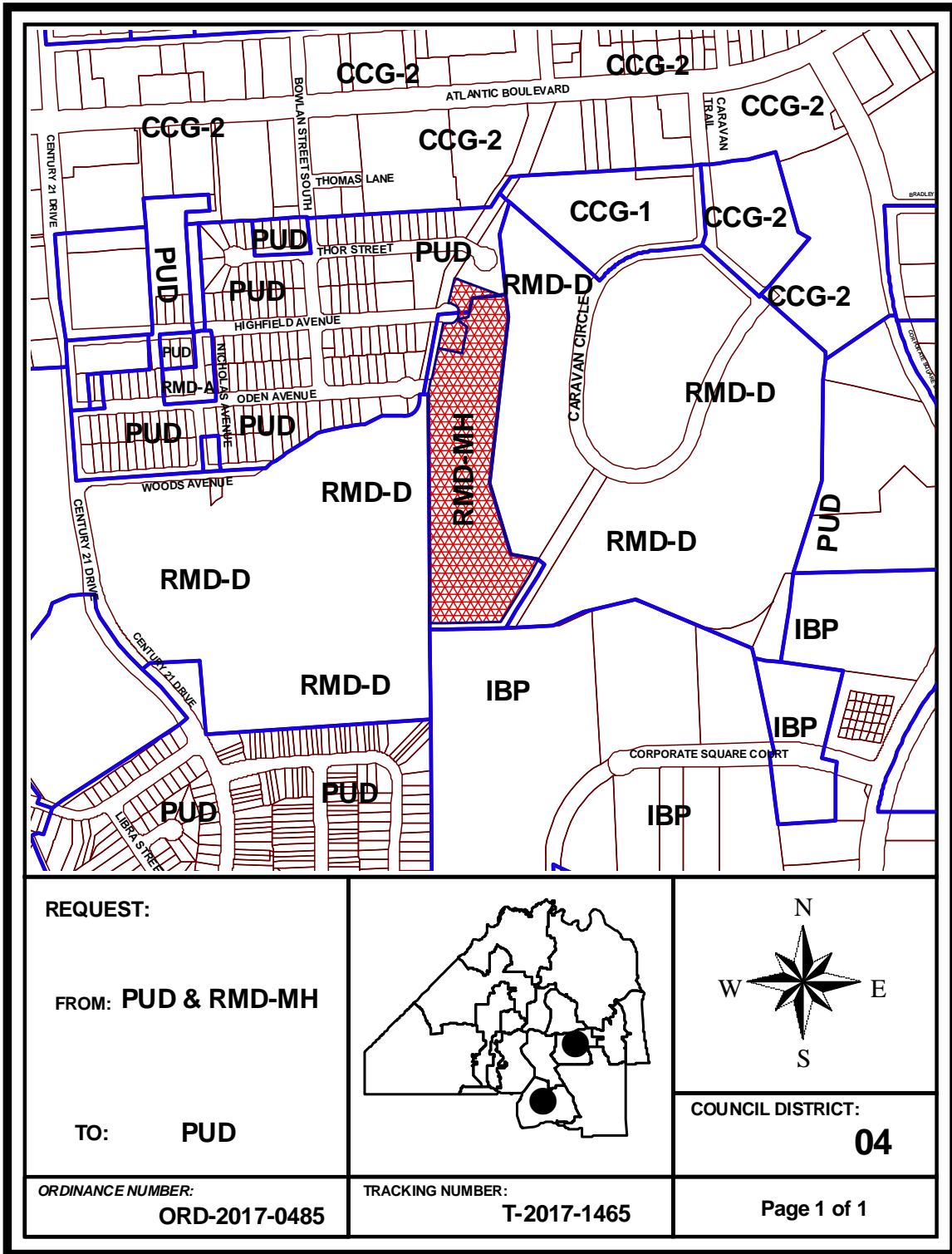
Aerial view of site facing north



The subject site facing east from Highfield Ave.



The subject site facing east from Highfield Ave.

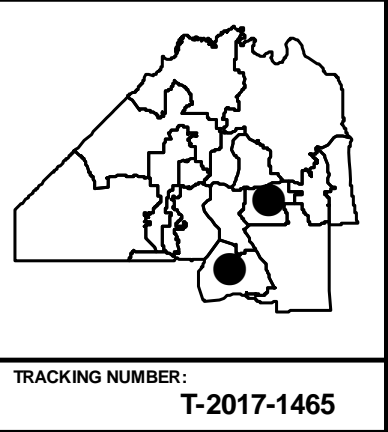


REQUEST:

FROM: PUD & RMD-MH

TO: PUD

ORDINANCE NUMBER:
ORD-2017-0485



COUNCIL DISTRICT:
04

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