

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**APPLICATION FOR REZONING ORDINANCE 2017-0559****TO PLANNED UNIT DEVELOPMENT****SEPTEMBER 7, 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 **2017-0559** to Planned Unit Development.

Location: On the east side of Philips Highway between State Road 9B and Racetrack Road

Real Estate Number: 168143 0000

Current Zoning District: Planned Unit Development (PUD 2005-1212-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southeast, District 3

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

Owner: The Annie F. Williams QTIP Trust
c/o/ Janice Rice
3507 Hidden Lake Drive
Jacksonville, Florida 32216

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2017-0559** seeks to rezone approximately 44± acres of land from PUD to PUD. The rezoning to PUD is being sought for the purpose of developing a single-family detached residential community consisting of up to 151 units on 40 foot wide lots. Setback and maximum height of structures will be similar to those found in the conventional Code, whereas lot coverages are slightly higher. Only a total of 21 acres of the property (47%) will be developed with single-family units. The balance will remain undeveloped or to include active recreation, open space and/or wetlands or conservation areas.

The property was part of a larger 87 acre PUD approved per 2005-1212. The northern 43 acres of the 2005 PUD have been rezoned into two different PUD's (2013-650 and 2015-319) for office/commercial development (PUD 2013-650) and residential uses (2015-319). This parcel is the only remaining one from the 2005 rezoning request.

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 requests a gross density of 3.4 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?

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?

No. 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. 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 category as identified in the Future Land Use Map series (FLUMs): LDR. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan including the following goals, objectives and policies:

The proposed application has been reviewed in relation to the following objectives and policies or text of the 2030 Comprehensive Plan, Future Land Use Element (FLUE):

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 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 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

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

Policy 2.2.3 A residential subdivision development of 100 lots or more shall provide at least one acre of useable uplands for every 100 lots (and any fraction thereof), or 5% of the total useable uplands area to be platted, whichever is less, to be dedicated as common area and set aside for active recreation There may be up to two areas for each 100 lots, and the areas shall be a minimum of 0.5 acres in size, unless otherwise approved by the Planning and Development Department, or by the City Council as part of a Planned Unit Development Zoning District.

The proposed rezoning has been identified as being related to the following issues identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application has been carefully evaluated for consistency with the following issues and related goals, objectives and/or policies:

Recreation and Open Space

The Recreation and Open Space Element (ROSE) states that there are requirements for public parkland in new residential developments in ROSE Policy 2.2.2. According to ROSE Policy 2.2.3, which outlines the specific requirements for open space, it is not an option to offer payment in lieu of provision of recreational lands.

Wetlands

The Conservation/Coastal Management Element (CCME) recommends avoiding wetlands if possible unless no other on site alternative exists. This site contains approximately 15 acres of Category III wetlands that are classified as wetland coniferous forest and cypress. A wetland Survey may be needed for further evaluation. Development should be further reviewed at Site Plan Review for consistency with the policies under Goal 4 of the Conservation/Coastal Management Element and as more particularly specified in the following CCME policies:

Conservation/Coastal Management Element

Goal 4 To achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetlands resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

Policy 4.1.3 The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

- (a) Encroachment - Encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and
- (b) No net loss - Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:
 - i the habitat of fish, wildlife and threatened or endangered species,
 - ii the abundance and diversity of fish, wildlife and threatened or endangered species,
 - iii the food sources of fish and wildlife including those which are threatened or endangered,
 - iv the water quality of the wetland, and
 - v the flood storage and flood conveyance capabilities of the wetland; and
- (c) Floodplain protection - Buildings are built at an elevation of sufficient height to meet the designated flood zone standards as set forth by the Federal Emergency Management Agency. The design must be in conformance with Chapter 652 (Floodplain Regulations) of the Ordinance Code; and
- (d) Stormwater - quality in the design and review of developments which will discharge stormwater into the Category I, II, or III wetlands the following performance standards shall be used to protect water quality:
 - i Issuance of a Management and Storage of Surface Waters permit pursuant to Chapter 40C-4 or 40C-40, F.A.C. or a stormwater permit issued pursuant to Chapter 40C-42, F.A.C., provides assurances necessary for compliance with subsections (i) - (iv) above provided the stormwater management system is constructed in accordance with the permit; and
 - ii Regular monitoring and maintenance program on an annual basis for the performance of stormwater treatment systems
- (e) Septic tanks - Septic tanks, drainfields and/or greywater systems are located outside the Category I, II, or III wetland area and not within 75 feet of the mean high water line of

tidal bodies or within 75 feet of any wetland unless the Duval County Health Department grants a variance for a hardship case pursuant to the provisions of Section 381.0065, F.S.

Where public utilities are available, development is required to connect to these facilities; and

- (f) Hydrology - The design of the fill shall include measures to maintain the wetlands hydrology of the site.

Policy 4.1.11 Mitigation shall be considered only as a last resort, and only if it is determined that encroachment in the wetland is the least damaging alternative and no practicable on-site alternative exists. Such mitigation activities should replace similar habitat and function, and shall result in no net loss of wetland functions and shall be subject to all applicable local, State and Federal permitting and regulations. 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.

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. Rezoning to PUD by Ordinance 2005-1212-E was issued City Development Number 6970.001 (Williams Town: Residential Subdivision) in conjunction with application CCAS 40639.0 for 160 single family residences on parcels 168143-0000, 168109-0000 and 168090-0000 (80 acres). City Development Number 6970.002 (Williams Town: Phase II) in conjunction with application CCAS 46605.0 for 700 units on 400 acres was issued May 17, 2006 and was aggregated with CCAS 40693. Both applications were canceled by the agent May 1, 2008. The owner is required to file an application for a Mobility Fee Calculation Certificate (MFCC) and companion application for Concurrency Reservation Certificate (CRC) and must make payment of the calculated amount to the Concurrency and Mobility Management System Office prior to issuance of a building permit by the City of Jacksonville.

(3) Allocation of residential land use

This proposed development will contain up to 151 units on 44 acres. The PUD 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: Only a total of 21 acres of the property (47%) will be developed with single-family units. The balance will remain undeveloped or to include active recreation, open space and/or wetlands or conservation 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.

The use of existing and proposed landscaping: The project will be required to meet the standards set forth in Section 656, Part 12. More than 1/3 of the total land area will remain untouched in its current natural state.

The treatment of pedestrian ways: Pedestrian access shall be provided by sidewalks installed in accordance with the 2030 Comprehensive Plan.

The use of topography, physical environment and other natural features: A large portion of the property will remain undeveloped as there are numerous wetlands throughout the total acreage.

Traffic and pedestrian circulation patterns: The property will be accessed primarily from Philips Highway. Within the property, internal access shall be provided to each home and the common areas via the streets as shown on the site plan, which shall meet the standards required by the Code of Subdivision Regulations. The adjoining landowners to the northeast will be able to access their property through a thirty (30) foot access easement from the property, also shown on the site plan.

Philips Highway (US 1), from the St. Johns County Line to Old St. Augustine Road, is the directly accessed functionally classified roadway. Philips Highway is a 4-lane divided urban highway in this vicinity and is currently operating at an acceptable LOS B. Philips Highway segments have a maximum daily service volume of 65,600 vpd and a 2014 daily traffic volume of 28,000. This road segment currently has sufficient capacity to accommodate the traffic generated by this development. Access to this site via Philips Highway must be subject to FDOT access management requirements.

The use and variety of building setback lines, separations, and buffering: The agent is proposing a 40 foot wide lot for the project. The lot coverage is slightly higher than that found in the Zoning Code, at 60% lot coverage. The Design guidelines for uses depicted in the PUD are:

- (1) Minimum lot area: 4,000 square feet
- (2) Minimum lot width: 40 feet
- (3) Maximum lot coverage: 60%
- (4) Minimum front yard: 20 feet. On corner lots one of the front yards may be reduced to 10 feet.
- (5) Minimum side yard: 5 feet
- (6) Minimum rear yard: 10 feet.
- (7) Maximum height of structures: 35 feet
- (8) Minimum frontage of each lot: Equal to 80% of its required lot width.

No setback shall be required to locate air conditioning compressors in a required side yard and

fences, swimming pools, screened enclosures and air conditioning compressors shall be permitted in the second front yard on double frontage or through lots.

The proposed residential product will consist of one and two story fee-simple homes on forty (40) foot lots with two car garages. The proposed development of the property will be both aesthetically and environmentally appealing. A combination of fencing, buffering, landscaping and architectural controls will be utilized to create an integrated community and blend the proposed development into the surrounding area.

Signage: The applicant is proposing up to two (2) permanent, single faced identity signs at entrance off of U.S. Highway 1 and one (1) permanent, double faced sign in the median of the entry road to the development. The signs may be located within the road right-of-way or on private property. Each sign shall not exceed twenty-four (24) square feet in area and twelve (12) feet in height.

(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	AGR-IV, NC	AGR, PUD	Undeveloped, Single family homes, silviculture
East	AGR-II, AGR-III	AGR	Undeveloped
South	AGR-II, MU	PUD, AGR	Undeveloped
West	NC, MU	PUD	Philips Highway

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 PUD provides for compatibility with the residential uses to the west and extension of regulations from that PUD to the east across Philips Highway. The land to the north and south fronting Philips Highway is slated for office/professional and commercial uses. The proposed residential product will consist of one and two story fee simple homes on forty (40) foot lots with two car garages. The proposed development of the property will be both aesthetically and environmentally appealing. A combination of fencing, buffering, landscaping and architectural controls are provided to create this community and blend the proposed development into the surrounding area. The aesthetic and design guidelines contained in the PUD will positively contribute to the existing and future development in the general area.

(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 3.4 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.

Active recreation/amenities will be provided at a ratio of a minimum of one acre of recreation land per one hundred residential units. The provided recreation open space may include active recreational facilities such as playgrounds with play equipment, amenity/recreation center, pool, cabana/clubhouse, exercise facility, walking/activity trails, and similar uses).

(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 site is under the 50 acre threshold and therefore does not require a wildlife survey.

(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 August 22, 2017 that indicated 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 the application for Rezoning **2017-0559** be **APPROVED** with the following exhibits:

- 1. The original legal description dated June 12, 2017.**
- 2. The original written description dated June 27, 2017.**
- 3. The original site plan dated June, 2017.**



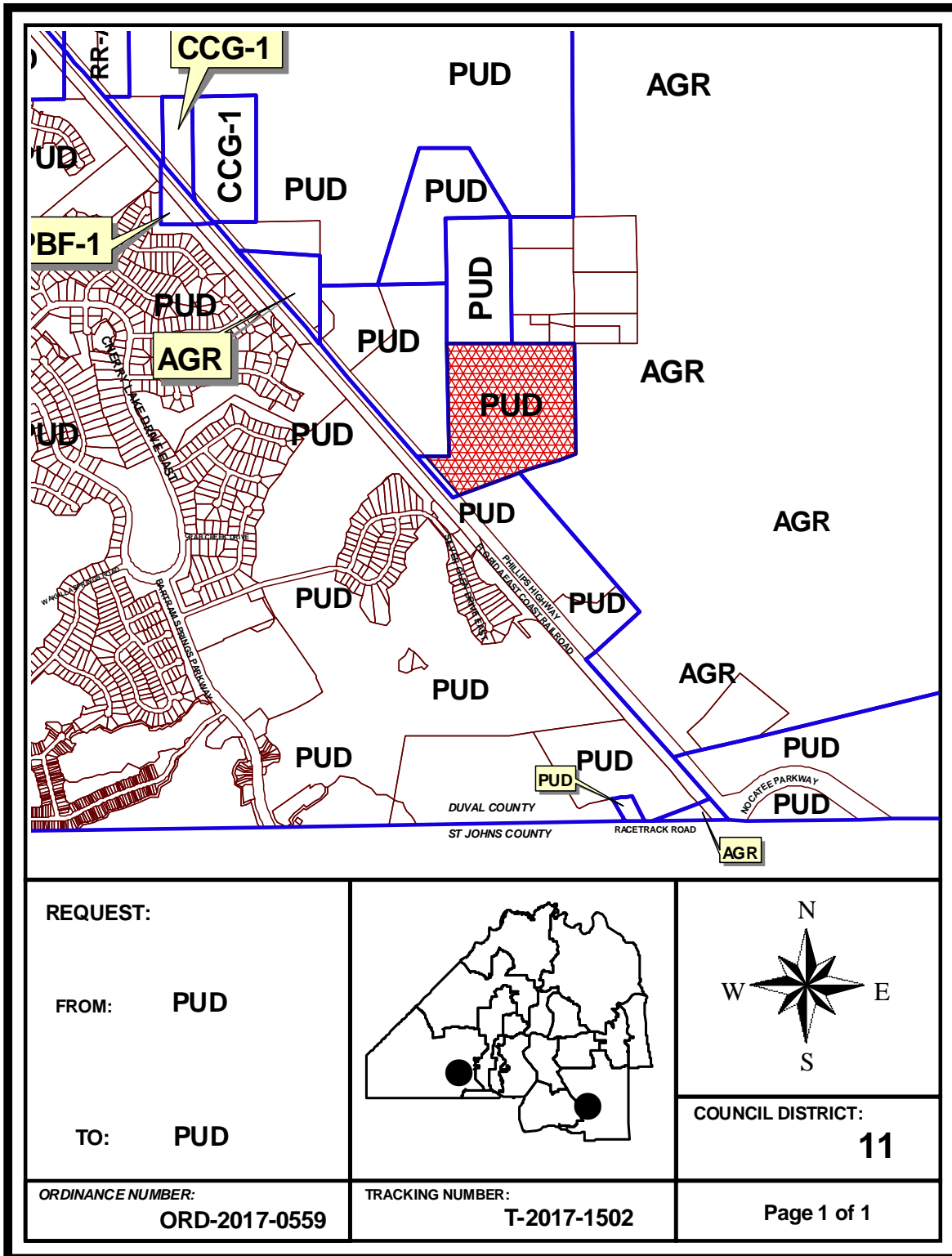
Aerial view of the subject site facing north



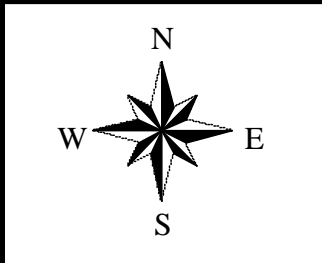
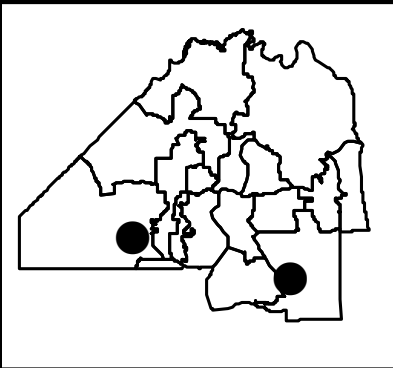
The subject site on the right facing northeast from Philips Hwy.



The subject site facing east from Philips Hwy.



REQUEST:
 FROM: PUD
 TO: PUD



COUNCIL DISTRICT:
 11

ORDINANCE NUMBER:
 ORD-2017-0559

TRACKING NUMBER:
 T-2017-1502

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