

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2017-0622

TO PLANNED UNIT DEVELOPMENT

OCTOBER 5, 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 **2017-0622** to Planned Unit Development.

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

Real Estate Number: 168090-0000, 168121-0000 and a portion of 168114 0100

Current Zoning District: Planned Unit Development (PUD 2015-0319)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category(ies): Low Density Residential (LDR) and Conservation (CSV)

Proposed Land Use Category(ies): Low Density Residential (LDR), Conservation (CSV) and Community General Commercial (CGC)

Planning District: Southeast, District 3

Applicant/Agent: T.R. Hainline
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner(s): Robert M. William
Rasmus Holdings, LLP
12244 Reedpond Drive East
Jacksonville, Florida 32223

Janice Rice
Annie F. Williams QTIP Trust
3507 Hidden Lake Drive West
Jacksonville, Florida 32216

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2017-0622** seeks to rezone approximately 830.20± acres of land from PUD to PUD. The rezoning to PUD is being sought for the purpose of developing a total of 2,407 residential units on a variety of 40, 50, and 60 feet wide lots as well as a townhome product. Setback and maximum height of structures will be similar to those found in the conventional Code, whereas lot coverages are slightly higher. To ensure a mix of lots sizes in the PUD, the lots within the parcels permitting single family uses will vary. Only a total of 471.4 acres of the property will be developed with residential units; the balance will remain undeveloped as wetlands or conservation areas.

There is a companion Application for Semi-Annual Land Use Amendment to the Future Land Use Map Series of the 2030 Comprehensive Plan, **Ordinance 2017-0621 (Application 2017C-0)** is requesting a change to the functional land use category of 10.00 acres of the 830.20 acre PUD site along Philips Highway from Low Density Residential (LDR) to Community General Commercial (CGC). The Planning and Development Department has submitted its report on the companion Semi-Annual Land Use Amendment 2017C-0 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 Conservation (CSV) 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 Semi-Annual Land Use Amendment to the Future Land Use Map Series 2017C-0 (Ordinance 2017-0621) that seeks to amend a 10 acre portion of the site along Philips Highway that is within the LDR land use category to Community General Commercial (CGC). Staff is recommending that Application for Semi-Annual Land Use Amendment to the Future Land use Map Series 2017AC-0 be approved. The LDR land use category accommodates mostly single-family residential developments. The CSV land use category generally includes protected lands with valuable environmental resources.

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 categories as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR) and Conservation (CSV). There is a companion Application for Semi-Annual Land Use Amendment to the Future Land use Map Series 2017C-0 (Ordinance 2017-0621) for a 10 acre portion of the site along Philips Highway that seeks to amend that portion of land from Low Density Residential (LDR) to Community General Commercial (CGC). The proposed zoning application has been reviewed in relation to and is consistent with the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element

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 1.2.9 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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

FLUE Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

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 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

FLUE Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

FLUE Policy 3.2.4 The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

FLUE Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

FLUE Policy 4.1.8B The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

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.

Transportation Element

TE Policy 2.3.8 The City shall encourage, through the development review process, development that will minimize external trip generation through the integration of land uses by requiring such measures as interconnecting land uses, sharing access drives and off-street parking areas, and

encouraging planned unit developments. The City's Land Development Regulations shall be revised as necessary to enforce this policy.

TE Policy 2.3.9 The City shall encourage, through the development review process, the interconnections of land uses that reduce the need for external trip generation and encourage alternative methods of movement. The City's Land Development Regulations shall be revised as necessary to enforce this policy.

Recreation and Open Space Element

ROSE Policy 2.2.1 The City shall require that all new non-residential land uses, except in the Central Business District, provide a minimum of 10% of the property in open space.

ROSE 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.

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.

ROSE Policy 2.2.5 All multiple-family developments of 100 units or more shall provide 150 square feet of active recreation area per dwelling unit. There may be one area for each 100 units, or the areas may be combined, subject to approval by the Planning and Development.

All of the parcels included in this PUD rezoning currently are in the Low Density Residential (LDR) and Conservation (CSV) land use categories. There is a companion land use amendment to change 10.00 acres of the 830.20 acre PUD site along Philips Highway, a principal arterial roadway, from Low Density Residential (LDR) to Community General Commercial (CGC). CGC is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Future land use amendment requests for new Community/ General Commercial (CGC) designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which located in areas with an existing mix of non-residential uses. Commercial retail sales and service and business and professional offices are primary uses within CGC in the Suburban Area.

The designation of LDR in the Suburban Area is intended to provide for low density residential development. Principal uses include 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. LDR also permits housing densities of up to 7 dwelling units per acre when full urban services are available

Lands in the CSV land use category are areas with valuable environmental resources, such as sensitive vegetation, high value habitat, wetlands, high aquifer recharge potential, carbon sinks and unique coastal areas. Some resource systems are highly sensitive and easily destroyed by indiscriminate human activity. These will be protected through public or private nonprofit ownership and management over time. Development potential in these areas is generally limited to open space, resource and recreational uses.

According to the PUD site plan, the development will have two access roads on to Philips Highway. One of the access roads will service the 10.00 acre commercial portion and the larger residential component will have its own access road. Developments shall, to the greatest extent possible, be massed along the highest abutting classified road on the Functional Highway Classification Map. Uses shall be sited in a manner to promote internal circulation and ease of access between abutting uses and sites and to limit the number of driveway access points on roads classified as arterials on the Functional Highway Classification Map. These protections have been addressed in this PUD. Therefore, proposed rezoning to Planned Unit Development 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.

(3) Allocation of residential land use

The LDR land use category in the Suburban Development Area with water and sewer available permits a maximum of 7 units/acre. However, the maximum gross density of the PUD lands within the LDR land use category shall not exceed 5.2 dwelling units per acre (2,407 d.u./471.4 acres of LDR). 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 and the location of open spaces, plazas, recreational areas and common areas: Active recreation will be provided within 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 minimal standards set forth in Section 656, Part 12.

The treatment of pedestrian ways: With regard to the internal primary collector roads, the developer has the option of either complying with Section 654.133 of the Ordinance Code for sidewalks and bike paths, or in lieu of separate sidewalks and bike paths, provides a ten (10) feet wide multi-use path along one side of internal primary collector roads. A minimum four (4) feet wide sidewalk will be provided along one side of all other internal roads.

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, and through possible future cross access to adjoining undeveloped parcels. The configuration of the development as depicted on the site plan is conceptual, and revisions to the site plan, including access points, internal circulation, and configuration and other subdivision features and infrastructure may be required as the proposed development proceeds through final engineering and site plan review subject to the review and approval of the Planning and Development Department.

The use and variety of building setback lines, separations, and buffering: Applicant proposes three different single-family development types for the project; 60, 50, and 40 feet wide lots. Lot coverages are higher than those found in the Zoning Code, including up to 60% lot coverage for 40 feet wide lots, and up to 55% lot coverage for 50 feet wide lots.

Signage: Applicant proposes a unified signage program consisting of Community Identity Monument signage at the major entrances, both primary and secondary, to the PUD, and both vehicle directional and control and pedestrian directional signage.

Community Identification Monument Signs at Major Entrances signage will be no greater than 12 feet in height and 32 square feet in area, double sided or single-sided per entrance.

Residential Uses Community Identity Monument Signs may include either one (1) double-faced sign on one (1) side of the entrance to the development, parcel or phase, or one (1) double-faced sign in the median/landscape island in the entry road(s), or two (2) single-faced signs on each side of the entrance to the development, parcel or phase. Such signs may be externally or internally illuminated and shall not exceed fifteen (15) feet in height. Sign face area is maximum twenty-four (24) square feet.

Individual Retail/Office Uses: Identity Monument Signs - Identity monument signs are permitted for each individual Retail/Office use. Each such use will be permitted one (1) externally or internally illuminated identity monument sign with one or two sides. Multiple users/tenants within one building or a series of buildings may be identified with one shared identity monument sign. Identity monument signage shall be subject to the height and size limitations below.

- a. Signage for lots with less than one and a half (1.5) acres may not exceed ten (10) feet in height and twenty-five (25) square feet (each side) in area.
- b. Signage for lots greater than one and a half (1.5) acres may not exceed fifteen (15) feet in height and fifty (50) square feet (each side) in area.

Temporary real estate signs are permitted up to a maximum 32 square feet in area and twelve feet in height for model homes.

(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:

| Adjacent Property | Land Use Category | Zoning District | Current Use(s) |
|-------------------|--------------------------|---------------------------------|--|
| North | LDR, AGR-II, AGR-IV | AGR, RR-ACRE | Undeveloped, Silviculture |
| East | AGR-I, AGR-III | AGR | Residential, Undeveloped, Silviculture |
| South | AGR-IV, LDR, NC, MU | PUD, CCG-1, AGR | Rural residential, Undeveloped, Silviculture |
| West | CGC, AGR-IV, LDR, LI, MU | PUD, RR-ACRE, CCG-2, RLD-60, IL | |

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: Silviculture operations will be permitted to continue on the property until build out. An access route/roadway/corridor for vehicular access to the out parcel shall be provided as shown on the PUD site plan. If access to the out parcel is provided on a road within the PUD which also will provide access to residential lots within the PUD, then a notice shall be incorporated into the covenants and restrictions recorded for such lots which notifies lot owners of the possibility that the road may be used for periodic silviculture operations within the out parcel.

(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 5.2 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; and a 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 both city sewer and water.

(7) Usable open spaces plazas, recreation areas.

The project will provide an amenity center consistent with the Development Criteria set forth in Section II.B of the Development Criteria within the Written Description. Documentation and

instrumentation providing for ownership and maintenance of common facilities will be recorded in the public records prior to issuance of building permits. Active recreation/amenities shall be provided at a ratio of a minimum of one acre of recreation land per one hundred residential units.

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

Wetlands

Approximately 400 acres of the 830.20 acres subject site are “Category III wetlands” that are part of larger systems that drain to adjacent properties. However, they are categorized as Category III because they are not associated with any well-defined drainage channels or creeks. Alteration of this wetland from development will require mitigation from the St. Johns River Water Management District. Environmental Resource Permits were granted by the St. Johns River Water Management District (Well’s Creek; Permit #140150-1 and 140150-2).

The Conservation Coastal Management Element recommends avoiding wetlands if possible unless no other on site alternative exists. The site plan should be carefully evaluated to ensure that no other building placement could be used in order to avoid the wetlands on site. A wetland Survey may be needed for further evaluation. Any proposed development of the property could have an impact on the sites wetlands and their functional values. Mitigation may satisfy Goal 4 and Objective 4.1 of the Conservation and Coastal Management Element (CCME) of the Comprehensive Plan to achieve no net loss of the natural functions of the City’s remaining wetlands, improve the quality of the City’s wetland resources over the long-term, improve the water quality, and improve fish and wildlife values of wetlands.

Requirements for development in wetlands including permitted uses, maintenance of water quality, maintenance of vegetation, and hydrology are specified in the following CCME policies:

CCME 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 wetland resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

CCME Objective 4.1 The City shall protect and conserve the natural functions of its existing wetlands, including estuarine marshes. In order to achieve this objective and its associated policies, the City shall continue to work with the applicable regional, state and federal agencies charged with these regulatory responsibilities.

CCME 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.

Flood Zone

A significant portion of the center area of the subject site and areas near the northern property line were determined to be within the AO flood zone. Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as "AE". Moderate flood hazard areas are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood.

Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance and the following Conservation /Coastal Management Element policies:

CCME Policy 2.7.1 The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

CCME Policy 2.7.3 The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by: A. Land acquisition or conservation easement acquisition; B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and C. Incentives, including tax benefits and transfer of development rights.

(9) Listed species regulations

A wildlife survey conducted by Environmental Services, Inc. was provided with the application. The Report listed several species that were observed within the property boundaries. The Report suggested the implementation of an indigo snake protection/education plan and conservation permits filed if gopher tortoise burrows are identified on site.

(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

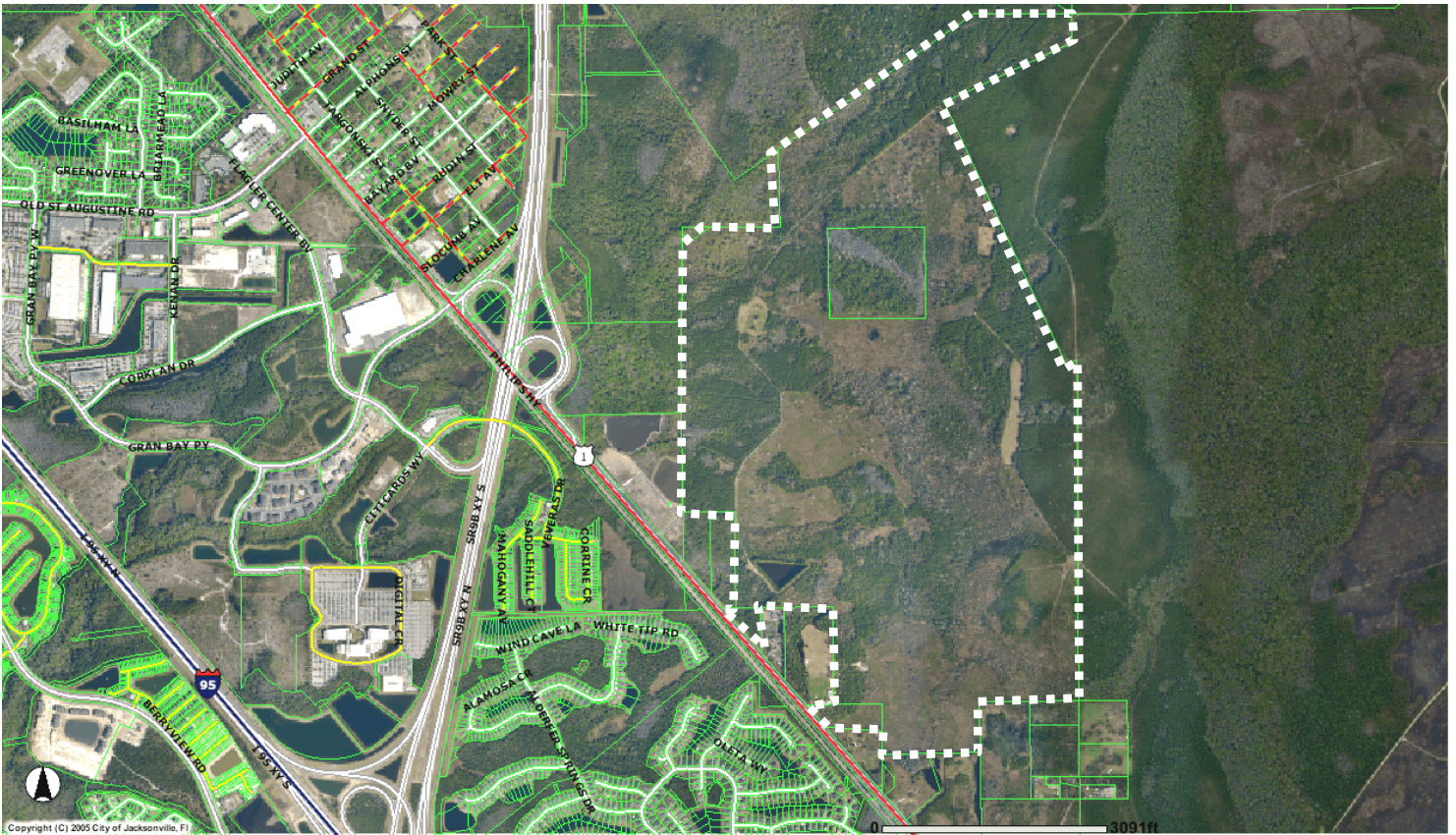
The applicant submitted a signed and notarized Sign Posting Affidavit dated September 25, 2017 that indicated the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-0622** be **APPROVED** with the following exhibits:

1. **The original legal description dated June 29, 2017.**
2. **The revised written description dated August 29, 2017.**
3. **The revised site plan dated August 21, 2017.**



Aerial view of the subject site facing north



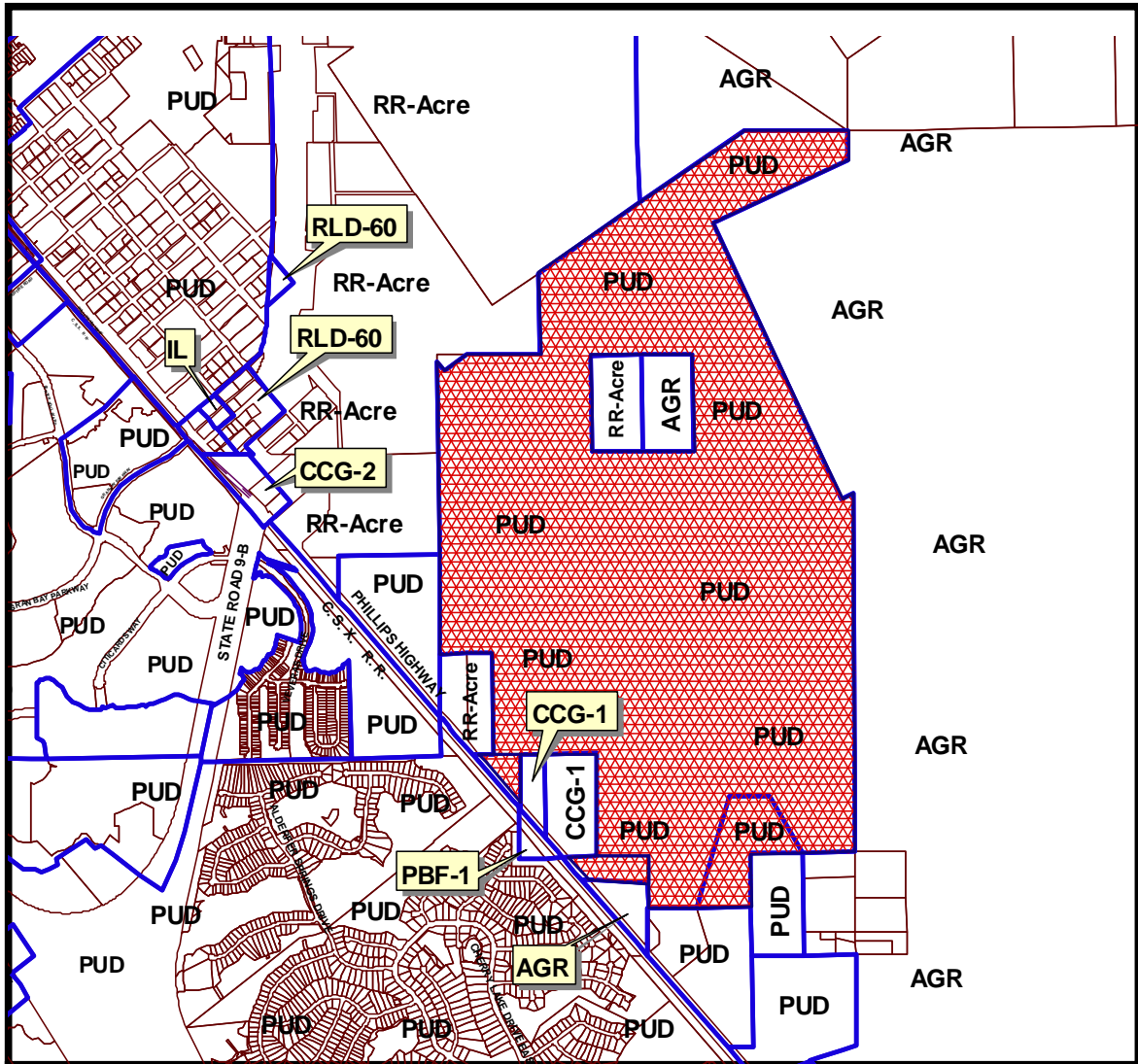
The subject site on the right facing northeast from Philips Hwy.



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



The subject site facing southeast from Philips Hwy.



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| <p>REQUEST SOUGHT:</p> <p>FROM: PUD & PUD</p> <p>TO: PUD</p> | | |
| <p>TRACKING NUMBER: ORD 2017-622</p> | | <p>0 100 Feet</p> <p>COUNCIL DISTRICT: 11</p> <p>Page 1 of 1</p> |