

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR****APPLICATION FOR REZONING ORDINANCE 2017-0839 TO****PLANNED UNIT DEVELOPMENT****JANUARY 18, 2018**

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 **2017-0839** to Planned Unit Development.

***Location:*** 10776 Burnt Mill Road  
Southeast corner of Burnt Mill Road and Validus Drive

***Real Estate Number(s):*** 167742 0055 (portion of)

***Current Zoning District:*** Residential Rural-Acre (RR-Acre)  
Planned Unit Development (PUD 2016-0704-E)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Low Density Residential (LDR)

***Planning District:*** Southeast, District 3

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

***Owner:*** Arthur Chester Skinner III Revocable Living Trust  
2963 DuPont Avenue  
Jacksonville, FL 32217

***Staff Recommendation:*** **APPROVE**

### GENERAL INFORMATION

Application for Planned Unit Development **2017-0839** seeks to rezone approximately 12.14 acres of land from Residential Rural-Acre (RR-Acre) and Planned Unit Development (PUD) to PUD. The property is located within the Low Density Residential (LDR) Functional Land Use Category of the 2030 Comprehensive Plan. The rezoning to PUD is being sought so that the property can be developed for the use of senior housing. The site will be developed with a maximum of 270,000 square feet of space.

Portions of the subject site were included within the boundaries of a previously approved PUD (2016-0704). However, this boundary appears limited to a changing water line in the adjacent wetlands area. The adjacent PUD allows for similar uses as the subject site (senior housing).

### 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 category is a category that allows for an increase of maximum gross density of seven (7) units/acre when full urban services are available. Generally, single-family detached housing will be the predominant land use in this category, although mobile homes, patio homes, townhomes and multi-family dwellings may also be permitted in appropriate locations. LDR lands to be used for senior housing facilities as a secondary uses are consistent with the functional land use category identified in the 2030 Comprehensive Plan provided a hospital is located within three (3) miles of the facility.

*(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.

*(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:

*Future Land Use Element (FLUE) Policy 1.1.16*

Require mitigation of adverse land use impacts on adjacent uses during development and redevelopment through:

1. Creation of like uses;
2. Creation of complementary uses;
3. Enhancement of transportation connections;
4. Use of noise, odor, vibration and visual/aesthetic controls; and/or
5. Other appropriate mitigation measures such as requirements for buffer zones and landscaping between uses

*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 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-balance 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 Objective Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

*FLUE Policy 3.1.21*

The City shall provide design standards in the Land Development Regulations to ensure compatibility with adjacent uses and to protect neighborhood scale and character through transition zones, bulk, massing, and height restrictions. The City shall consider the feasibility and effectiveness of developing design standards for each Development Area, not to include the Central Business District which has established design standards.

*Recreation Open Space (ROS) Element 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.

*ROS Policy 2.2.5*

All multi-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 the approval by the Planning and Development Department.

*(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 residential use. 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: The Written Description states that the site will be developed with the appropriate amount of open/recreational space as required by Section 656.420, Zoning Code.

The use of topography, physical environment and other natural features: The site has previously been cleared of any significant vegetation.

Traffic and pedestrian circulation patterns: The site plan shows the site will be accessed via a proposed entry road that will be accessed via Burnt Mill Road.

The use and variety of building setback lines, separations, and buffering: The building separations shown on the site plan between the proposed and existing buildings are consistent with the development criteria.

*(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 is located in an area featuring a variety of uses and intensities. The proposed senior housing will add to the diversity of the existing uses.

The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

<b>Adjacent Property</b>	<b>Land Category</b>	<b>Use</b>	<b>Zoning District</b>	<b>Current Use</b>
North	LDR		RR-Acre	Undeveloped
South	LDR/RPI		RR-Acre/PUD	Multi-family/Single-family
East	BP		PUD/IBP	Office
West	BP		PUD	Office/Warehouse

*(6) Intensity of Development*

The availability and location of utility services and public facilities and services: JEA indicates that water and sewer are available at this location.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The proposed development will be accessed via a proposed entry road from Burnt Mill Road.

Any other factor deemed relevant to the limitation of the intensity of the development for the benefit of the public health, welfare, and safety: A coordinated set of sign standards is include within the Written Description that includes a project identity monument sign along Burnt Mill Road and other project wide signage.

*(7) Usable open spaces plazas, recreation areas.*

The project will be developed with the required amount of open space and recreation areas in accordance with Section 656.420, Zoning Code.

*(8) Impact on wetlands*

### **Wetlands**

A wetlands survey map for this application site was extracted from the St Johns Water Management District website and adapted with the use of the City's GIS system. There are approximately 2.8 acres of "Category II" wetlands located on the application site associated with a channelized slough associated with Puncheon Gum Swamp Branch. A search of the St Johns River Water Management District (SJRWMD) website did not produce an application for an "Environmental Resource Permit" (ERP) or an application for wetlands impact. A permit (ERP #86927-3) was issued on 9/16/2017 for A.C. Skinner lands to the west of the rezoning application site for a borrowing pit and dewatering facilities. According to the site plan some wetlands will be impacted that are in the flood zone.

An environmental resource permit from the St Johns River Water Management District will be required as well as mitigation to offset the expected loss. There is also a possibility the Water Management District could also affect change in the PUD site plan. Development must also comply with the following objectives and policies of the 2030 Comprehensive Plan, Conservation Coastal Management Element (CCME):

#### *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.

#### *CCME Policy 4.1.1*

The City shall encourage the placement of all watercourses, water bodies, buffer areas, and wetlands having high functional values to be placed in a Conservation land use category, Conservation zoning district and/or conservation easement as part of an application for a land use amendment, rezoning and/or site plan approval process.

*CCME Policy 4.1.5*

The permitted uses within Category I and II wetlands shall be limited to the following land uses and associated standards, provided such use is consistent with the Future Land Use Map series (FLUMs):

- 1) Conservation uses, provided the following standards are met:
  - a) Dredge and fill: Dredging or filling of Category I and II wetlands shall not exceed more than 5% of the wetlands on-site; and
  - b) Vegetation:  
For Category I wetlands: All native vegetation outside the development area is maintained in its natural state  
For Category II wetlands: No more than 10% of the arial extent of the vegetation outside of the development area may be altered or removed; and
- 2) Residential uses, provided the following standards are met:
  - a) Density/Dredge and fill: Where lots, except for lots of record as defined in the Future Land Use Element, are located totally within the wetlands:
    - i) Density shall not exceed one (1) dwelling unit per five (5) acres; and
    - ii) Buildings shall be clustered together to the maximum extent practicable; and
    - iii) Dredging or filling shall not exceed 5% of the wetlands on-site; and
  - b) Vegetation:
- 3) Water-dependent and water-related uses, provided the following standards are met:
  - a) Vegetation:  
For Category I wetlands: All native vegetation outside the development area is maintained in its natural state  
For Category II wetlands: No more than 10% of the arial extent of the vegetation outside of the development area may be altered or removed; and
  - b) Boat facilities siting and operation: Boat facilities are further subject to Objective 10.1, 10.2, 10.3, 10.5 and 10.6 and their related policies of this element
- 4) Access to a permitted use, subject to the requirements of (a), (b), and (f) as noted in the performance standards of Policy 4.1.3
- 5) Any use which can be shown to be clearly in the public interest, subject to the requirements of (a), (b), (d) and (f) as noted in the standards outlined in Policy 4.1.3
- 6) For Category II wetlands only, Silvicultural uses are allowed, provided the following standards are met:  
Best Management Practices: Silviculture: Such activities are conducted in compliance with the provisions of the “Silvicultural Best Practices Management Practices Manual”, as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

**Flood Zone**

Over 97 percent of the proposed PUD rezoning site (11.82 acres) is determined to be within the 100 year flood zone. This area is associated with Puncheon Gum Swamp Branch. In addition, a portion of the PUD site is within a floodway found along the channel on the southwest boundary of the application site. The proposed building is located outside of the floodway but a portion of the parking lot is. Flood hazard areas identified by the Flood Insurance Rate Map are identified as Special Flood Zone 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 change 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-change (or 500-year flood). Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance:

*CCME Policy 1.4.4*

The City shall require all development within the 100-year floodplain to be in strict conformance with all applicable federal, State, regional and local development regulations.

*CCME Objective 2.7*

The City shall protect the hydrological and ecological benefits of floodplain areas, such as water quality, fish and wildlife habitat, and prevention of downstream flooding.

*CCME Policy 2.7.1*

The City shall continue to define the surface hydrology of the area to determine floodplain 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*

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 generally be developed in accordance with Part 6 of the Zoning Code with the following exceptions:

- All senior housing permitted in Section IV.A.1.a-c of the Written Description (except independent living): One (1) space per every two (beds)
- Independent Living: One (1) space per two (2) units
- Staff parking: One (1) space per employee
- One (1) off-street loading space
- Required vehicle parking may be provided in garages, driveways, carports or common parking. Tandem parking is also permitted.



- A minimum of ten (10) off-street bicycle parking spaces shall be provided

*(11) Sidewalks, trails, and bikeways*

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

### SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on January 5, 2018, the required Notice of Public Hearing sign was posted.

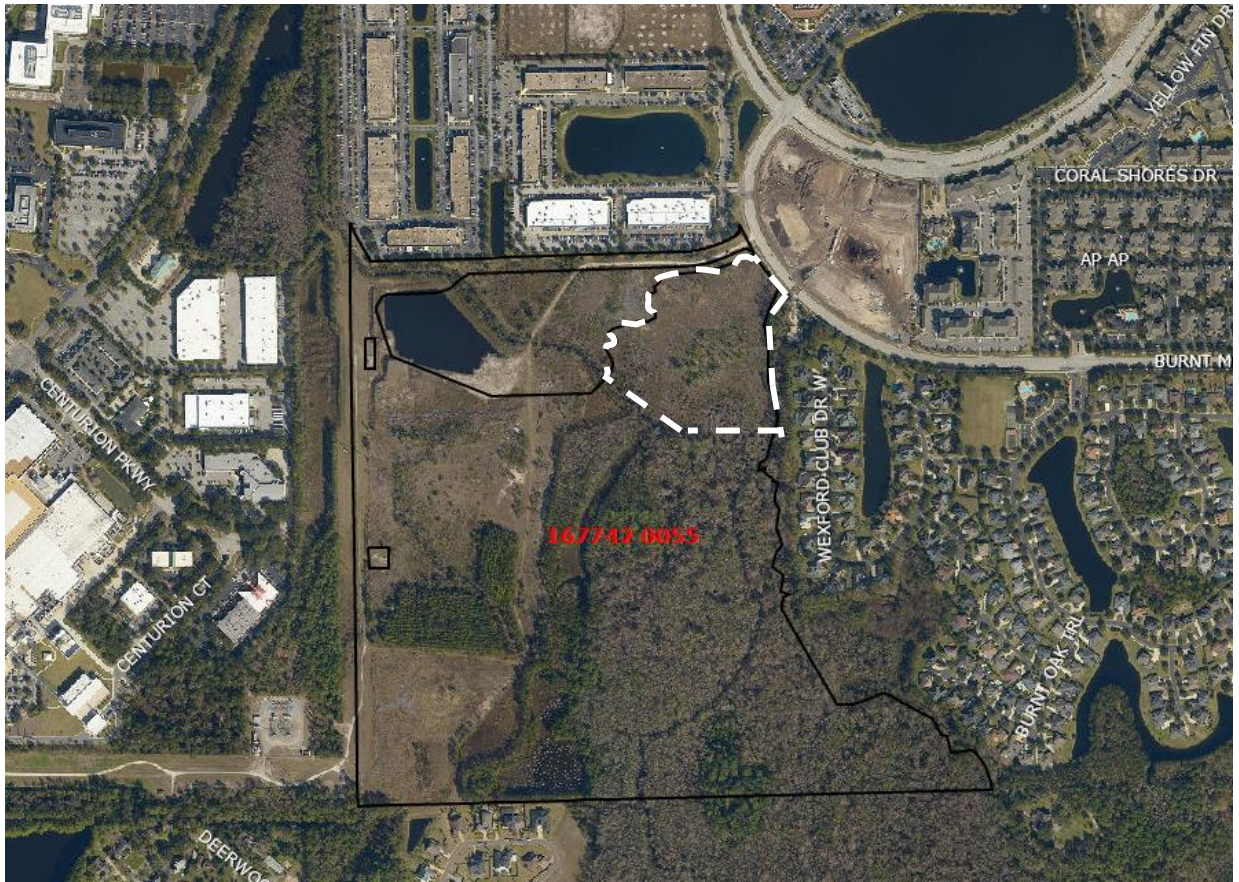


### RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2017-0839** be **APPROVED with the following exhibits:**

1. The original legal description dated October 9, 2017
2. The original written description dated October 9, 2017
3. The original site plans dated June 23 and October 9, 2017

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2017-0839** be **APPROVED**



**Aerial**

*Source: Staff, Planning and Development Department  
Date: 01.02.2018*



**Subject Property**

*Source: Staff, Planning and Development Department  
Date: 01.05.2018*



**Access road under development for subject property**

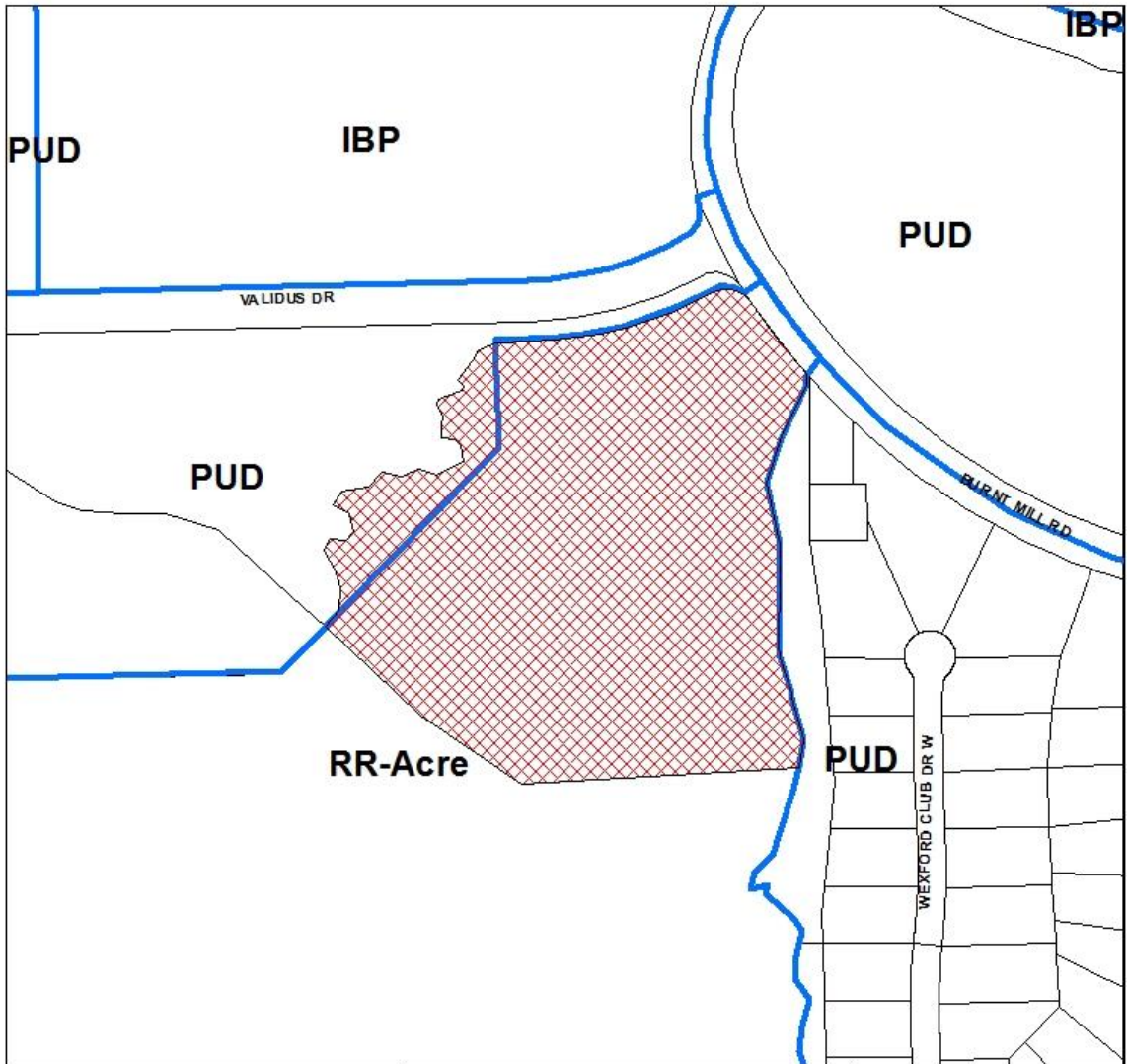
*Source: Staff, Planning and Development Department  
Date: 01.05.2018*

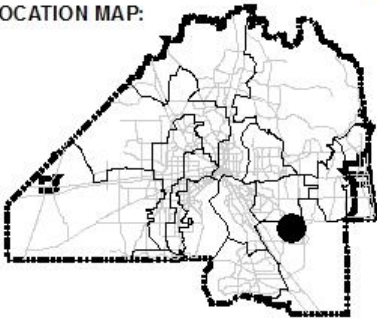



**Adjacent property to the east**  
*Source: Google StreetView*  
*Date: 01.05.2018*



**Adjacent property to the south and west across Burnt Mill Road**  
*Source: Staff, Planning and Development Department*  
*Date: 01.05.2018*



<p>REQUEST SOUGHT:</p> <p>FROM: PUD &amp; RR-ACRE</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>0 95 190 380      Feet</p>
<p>ORDINANCE NUMBER:  <b>ORD-2017-0839</b></p>	<p>TRACKING NUMBER:  <b>T-2017-1572</b></p>	<p>COUNCIL DISTRICT:  <b>11</b></p> <p><b>PAGE 1 OF 1</b></p>