

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2018-152 TO**

**PLANNED UNIT DEVELOPMENT**

**APRIL 5, 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 **2018-152** to Planned Unit Development.

***Location:*** 7633 Wilson Boulevard between Fouraker Road and Old Middleburg Road

***Real Estate Number(s):*** 012482-0000

***Current Zoning District:*** Planned Unit Development (PUD 2006-1382)

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

***Current Land Use Category:*** Medium Density Residential (MDR)

***Planning District:*** Southwest, District 4

***Applicant/Agent:*** Gregory Matovina  
Matovina and Company  
2955 Hartley Road, Suite 108  
Jacksonville, Florida 32257

***Owner:*** James Trantham  
Compass Rose Group, LLC  
P.O. Box 298  
Talent, Oregon 97540

***Staff Recommendation:*** **APPROVE WITH CONDITIONS**

**GENERAL INFORMATION**

Application for Planned Unit Development **2018-152** seeks to rezone approximately 17.42 acres of land from PUD to PUD. The rezoning to PUD is being sought so that the property can be developed a maximum of 80 single family lots. The minimum lot area and width are 4,000 square feet and 40 feet, respectively. The current PUD allows 312 multifamily dwelling units.

### **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. Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. Development within the category should be compact and connected and should support multi-modal transportation.

**Principal Uses:** Multi-family dwellings; Single-family dwellings when the predominant surrounding development typology within the MDR category is single-family; 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 or TOD.

**Secondary Uses:** Secondary uses shall be permitted pursuant to the Residential land use introduction. In addition, the following secondary uses may also be permitted: Single-family dwellings; Nursing homes; Emergency shelter homes; Foster care homes; Rooming houses; Residential treatment facilities; Private clubs; and Commercial retail sales and service establishments when the site is located at the intersection of roads classified as collector or higher on the Functional Highway Classification Map.

The maximum gross density in the Suburban Area shall be 20 units / acre and there is no minimum gross density when single family is permitted as a secondary use. The PUD is proposing a gross density of 4.58 units / acre.

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?*

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): Residential Medium Density (MDR). This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

FLUE 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 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 1.1.20 Development uses and densities shall be determined by the Development Areas described in the Operational Provisions for the Central Business District (CBD); Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA) as identified in the 2030 Comprehensive Plan, in order to prevent urban sprawl, protect

agricultural lands, conserve natural open space, and to minimize the cost of public facilities and services.

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

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.

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, though 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.

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.

*(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 multi-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 streetscape: The development standards in the written description will provide a similar streetscape to the other subdivisions in the area.

The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: Approximately 2.3 acres in the northeast corner will be preserved as wetlands and remain undeveloped.

Traffic and pedestrian circulation patterns: The proposed site plan shows a single road with five short cul-de-sacs.

The use and variety of building setback lines, separations, and buffering: The PUD is proposing development standards, setbacks, maximum height and lot coverage, which are the same as the RLD-40 Zoning District.

*(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 which is primarily residential. There are small pockets of RMD-A, CRO and IL to the east. Multi-family development at this location complements the existing residential uses by increasing the housing options for those in the immediate area.

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	LDR	RLD-60	Single family dwellings
	AGR	AGR	Undeveloped
South	LDR	RR-Acre	Abundant Life Church
	RPI	CRO	Undeveloped
East	MDR	RMD-A	Construction contractor
West	MDR	RMD-D	Multi-family dwellings

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 current PUD has six conditions in the Ordinance. Two of the conditions involve Barco Duval building contractor which is to the east of the property. One condition alerts new residents or homeowners to the fact that Barco Duval may produce loud noise. **Staff recommends this condition be included in the proposed PUD.**

The other condition requires the PUD to prepare a tree survey and provide a 20 foot wide undisturbed vegetative buffer along the north and northeastern boundaries. The approved multi-family site plan shows buildings in the northeastern corner, however the proposed site plan indicates this wetland area will not be developed.

The PUD written description and site plan indicate a 25 foot buffer tract will be provided along the northern buffer to protect the existing single family subdivision from any adverse impacts. **Since the PUD contains this restriction, staff does not see a need for the condition from 2006-1382 be included the proposed PUD.**

*(6) Intensity of Development*

The proposed development is consistent with the MDR functional land use category as a single family development, which is not to exceed 80 lots. The PUD is appropriate at this location because it will be compatible with the existing residential in the area.

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECTION

Normandy Village ES #221	8	13	658	496	75%	72%
Jefferson Davis MS #216	7	6	1,438	847	59%	71%
Ed White HS #248	8	7	2,071	1,309	63%	67%

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The Transportation Division indicates that Wilson Blvd is classified as a collector and operating at 72% capacity.

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

The project will be developed with the required amount of open space and recreation area. As the proposed number of lots is less than 99, the developer has the option to either provide 435 square feet of active recreation area per lot or pay a fee of \$250 per lot.

*(8) Impact on wetlands*

There are approximately 2.3 acres of wetlands on the site. The wetlands consist of mixed wetland forest communities. The applicant is in the process of working with the St. Johns River Water Management District to mitigate the proposed impacted wetlands on the site and receive an “Environmental Resource Permit”. That mitigation will be done within the same drainage basin and according to the applicant, the project of the land use amendment site will not have a direct impact to the City’s waterways.

Any proposed development of the property could have an impact on the site’s 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.

Approximately 0.28 acres of the proposed 17.42 PUD application site was determined to be within the 100 year flood zone. This flood zone area is associated with Normandy Village Run and runs into Fishing Creek. 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” Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance and the Policies of the 2030 Comprehensive Plan, Conservation/Coastal Management Element. The site plan indicates the project is avoiding the wetlands in the northeastern corner.

*(9) Listed species regulations*

No wildlife survey was required as the project is less than the 50-acre threshold.

*(10) Off-street parking including loading and unloading areas.*

The site will be developed in accordance with Part 6 of the Zoning Code.

*(11) Sidewalks, trails, and bikeways*

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

### **SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on March 26, 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 **2018-152** be **APPROVED with the following exhibits:**

1. The original legal description dated January 26, 2018.
2. The revised written description dated March 23, 2018.
3. The original site plan dated March 2018.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2018-152** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. The HOA documents shall contain a notice in enlarged, bold type stating that prospective homeowners may be impacted by noise from the adjacent use by Barco Duval. If the use by Barco Duval ceases, then this condition may be removed from the Covenant documents.
2. Prior to the first final inspection within any phase of development, the owner or their agent shall submit to the Planning and Development Department for its review and approval either (a) an affidavit documenting that all conditions to the development order have been satisfied, or (b) a detailed agreement for the completion of all conditions to the development order.



Aerial view of subject property.



View of subject property



View of adjacent construction company



View of church across Wilson Blvd

