

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2018-255 TO

PLANNED UNIT DEVELOPMENT

MAY 17, 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 **2018-255** to Planned Unit Development.

Location: Northeast quadrant of Parental Home Road and Bowden Road

Real Estate Number(s): 152570-0200

Current Zoning District: Commercial Residential Office (CRO)
Commercial Neighborhood (CN)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Residential Professional Institutional (RPI)
Neighborhood Commercial (NC)

Proposed Land Use Category: Residential Professional Institutional (RPI)

Planning District: Southeast, District 3

Applicant/Agent: L. Charles Mann
165 Arlington Road
Jacksonville, Florida 32211

Owner: Payne Roberts
321 DuPont Station Court South
Jacksonville, Florida 32217

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2018-255** seeks to rezone approximately 9.35 acres of land from CO and CN to PUD. The rezoning to PUD is being sought so that the property can be developed with a maximum of 38 town homes.

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 Residential Professional Institutional (RPI) and Neighborhood Commercial (NC) 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 Small-Scale Land Use Amendment to the Future Land Use Map Series L-5283-18C (Ordinance 2018-254) that seeks to amend the portion of the site that is within the NC land use category to Residential Professional Institutional (RPI). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land use Map Series L-5283-18C be approved.

Residential Professional Institutional (RPI) is a category primarily intended to accommodate medium to high density residential, professional office, and institutional uses. Limited commercial retail and service establishments which serve a diverse set of neighborhoods may also be a part of mixed use developments. RPI is generally intended to provide transitional uses between commercial and residential uses, although it may also provide a transition between industrial and residential uses when industrial uses pose no health or safety risks to residents. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Transit-Oriented Developments (TOD), as defined in this element, are encouraged when in close proximity to an existing or planned JTA mass transit system station or Rapid Transit System (RTS). Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

Principal Uses: Multi-family dwellings; Office; Business and Professional Office; Institutional; Large scale institutional uses, which require supporting residential and office components; Commercial retail sales and service establishments limited to 50 percent of the site area; Live/Work Units; Financial institutions; Restaurants (without drive-in or drive-thru facilities); Off street parking lots and garages when combined with another principal use;

Single-use developments shall be limited to residential or office. Single use residential developments shall be pursuant to the requirements of the Medium Density Residential (MDR) category. Mixed use developments may not include more than 90 percent of any individual use.

Secondary Uses: Secondary uses shall be permitted pursuant to the Commercial land use introduction. In addition, the following secondary uses may also be permitted: Single-family dwellings as part of a single-use or mixed used development; Veterinary Offices; and Filling stations.

The maximum gross density within the Urban Area shall be 30 units/acre and there shall be no minimum density; except as provided herein. Single use developments are limited to residential or office in the RPI land use and shall meet the requirements of the MDR category. The number of townhomes is well within the 20 units per acre density permitted in MDR. Maximum density for the 9.35 site would allow 187 units; the PUD limits development to 38 units.

(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 categories as identified in the Future Land Use Map series (FLUMs): Residential Professional institutional (RPI) and Neighborhood Commercial (NC). There is a companion Application for Small-Scale Land Use Amendment to the Future Land use Map Series L-5283-18C (Ordinance 2018-254) that seeks to amend the portion of land that is within the NC land use category to RPI.

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 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 1.1.20

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 1.1.22

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

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 Policy 3.1.6

The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

FLUE Policy 3.1.19

The City shall adopt criteria and standards in order to limit the location of single-family attached and multi-family housing units to the periphery of established single-family detached neighborhoods and non-residential nodes, along collectors, arterials, and rail transit corridors, unless the higher density residential development is a component of a mixed or multi-use project.

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.

Utility Capacity

Infrastructure Element

Policy 1.2.6

Within the Suburban Boundary Map as defined in the Future Land Use and Capital Improvements Elements, new septic tanks will be forbidden pursuant to the Septic Environmental Protection Board – Rule 3; however, they may be permitted as interim facilities, provided the following requirements are satisfied:

1. Single family/commercial (estimated flows of 600 gpd or less):
 - a. Requirements of Chapter 64E-6, Florida Administrative Code (F.A.C.) are accommodated.
 - b. The collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Commercial (above 600 gpd)
 - a. Requirements of Chapter 64E-6, F.A.C. are accommodated.
 - b. The collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (commercial or single family):

- a. Requirements of Chapter 64E-6, F.A.C. are accommodated.
- b. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
- c. Each lot is a minimum of 1 acre unsubmerged property.
- d. Alternative (mounded) systems are not required.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6

The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Wetlands

The PUD site plan depicts the wetland boundary of the property and indicates that approximately 6.7 acres of the PUD site contains wetlands. In addition to reviewing the PUD site plan the Department evaluated the site with the use of the City's GIS system and photogrammetric analysis. According to the Florida Land Use Code Classification System (FLUCCS) the wetland is classified as "Scrub-shrub wetland" which is part of a larger wetland system that buffers Pottsburg Creek which also serves as the eastern most property boundary. This wetland is part of a larger riverine wetlands system that extends from the south and drains to the north.

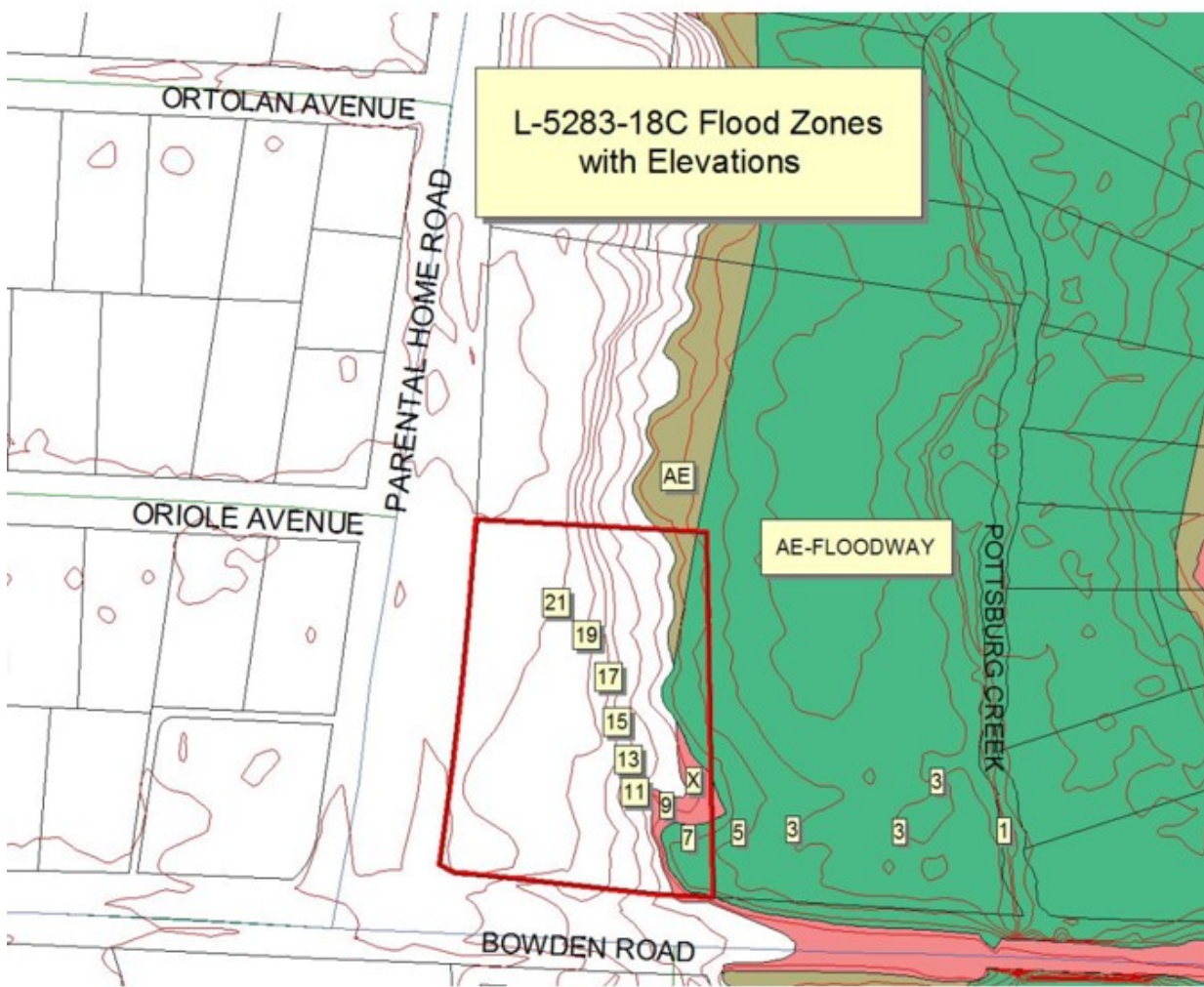
The wetlands are classified as "Category II" type wetlands and are associated with Pottsburg Creek floodplains. These wetlands have an extremely high functional value due to the large water pollution and stormwater attenuation capabilities. Pottsburg Creek drains into Arlington River which then drains into the St. Johns River (See attached wetlands map).

Residential uses are permitted in Category II wetlands, provided the general standards listed in CCME Policy 4.1.3 are met and that the following supplemental standards are met where lots are located totally within the wetlands:

- Density shall not exceed one (1) dwelling unit per five (5);
- Buildings shall be clustered together to the maximum extent practicable; and
- Dredging or filling shall not exceed 5% of the wetlands on-site.

The United States Department of Agriculture, Natural Resource Conservation Service "Soil Survey" classifies the riverine wetlands as "Surrency loamy fine sand". The Surrency series consists of nearly level, very poorly drained soils formed in thick sandy and loamy marine

Flood Zones:



Proposed amendment analysis is in relation to the Goals, Objectives and Policies of the 2030 Comprehensive Plan, Conservation Coastal Management Element (CCME):

Objective 2.7

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

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.

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.

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.

Objective 4.1

The City shall protect and conserve the natural functions of its existing wetlands, including estuarine marshes.

Policy 4.4.1

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.

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 the 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 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

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 the development area may be altered or removed; and

(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 the development area may be altered or removed; and

(b) Boat facilities siting and operation

Boat facilities are further subject to Objectives 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 outlined in Policy 4.1.3 above.

(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 performance standards outlined in Policy 4.1.3 above.

(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 Management Practices Manual", as may be amended, published by the Florida Division of Forestry, Department of Agriculture and Consumer Services.

Objective 7.1

The City shall consider the impact on the St. John's River and its tributaries when reviewing development, land development regulations, public infrastructure and investment, and other City actions that present opportunities for improving water quality health and the overall sustainability of Jacksonville within its environment.

Flood Zone

Approximately 5.7 acres of the subject site was determined to be within the 100-year flood zone. This area is associated with Pottsburg Creek and follows the 8-foot elevation on the 9.35 acres subject site. 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". "AE-Floodway" is the same as "AE" except floodwaters have velocity which can cause increased damage to structures during catastrophic flood events.

Moderate flood hazard areas ("X"), are also shown on the map for the property as are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. Review of the PUD site plan indicates minimal impacts to the flood zone. Any development

within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Conservation /Coastal Management Element

Policy 1.4.4

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

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.

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.

(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 not to exceed 38 dwelling units. 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: It appears from the site plan the development will have a similar appearance as the townhomes to the south. The Department is concerned since the site plan depicts a 10-foot wide landscape buffer adjacent to Parental Home Road. **The Department believes this buffer is acceptable if the front doors of the townhomes faces Parental Home Road. If the front doors face the interior of the project, then a 20-foot wide landscape buffer should be**

required per Section 656.1222 of the Zoning Code.

The use of topography, physical environment and other natural features: There are significant wetlands on the eastern portion, which will not be disturbed and provide visual screen for the development.

Traffic and pedestrian circulation patterns: The site plan depicts a single cul-de-sac with the entrance on Bowden Road.

The use and variety of building setback lines, separations, and buffering: The written description indicates the front setbacks will be 15 feet. The Zoning Code requires a minimum front setback of 22 feet. This distance is necessary to adequately park an automobile in front of the dwelling unit. The applicant has not provided any justification for the shortened front setback. **Staff recommends the front yard setback be a minimum of 20 feet.**

(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 where residential and office are mixed along Bowden Road. Multi-family development at this location complements the existing 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	RPI	CRO	Catering company
South	RPI	CRO	Multi-family dwellings
East	LDR	RLD-60	Single family dwellings
West	LDR	RLD-60	Single family dwellings

(6) Intensity of Development

The proposed development is consistent with the RPI functional land use category as a multi-family development, which is not to exceed 38 dwelling units. The PUD is appropriate at this location because it will offer alternative housing options for those who are employed in the area.

The availability and location of utility services and public facilities and services: The JEA Service Availability letter indicates there is no objection to the project, but the developer must update the Service Availability Letter.

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent /Portables)	CURRENT ENROLLMENT 20 Day Count (2017/18)	% OCCUPIED	4 YEAR PROJECTION
Greenfield ES #222	3	6	592	530	90%	88%
Southside MS #211	3	3	977	842	86%	86%
Englewood HS # 90	3	4	1,864	1,856	100%	98%

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system arteries: The site plan shows one access point on Bowden Road.

(7) Usable open spaces plazas, recreation areas.

The project is considered a residential subdivision and as such is allowed to either provide 435 square feet of active recreation area per lot (38x435=16,530 square feet) or pay \$250 per lot (38x250=\$9,500) into the recreation and open space fee. The site plan does not depict any recreation area.

(8) Impact on wetlands

The PUD site plan depicts the wetland boundary of the property and indicates that approximately 6.7 acres of the PUD site contains wetlands. According to the Florida Land Use Code Classification System (FLUCCS) the wetland is classified as “Scrub-shrub wetland” which is part of a larger wetland system that buffers Pottsburg Creek. This wetland is part of a larger riverine wetlands system that extends from the south and drains to the north.

(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 May 17, 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 **2018-255** be **APPROVED with the following exhibits:**

1. The original legal description dated February 15, 2018.
2. The original written description dated March 12, 2018.
3. The original site plan dated January 25, 2018.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2018-255** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. The front doors of the buildings along Parental Home Road shall be oriented to the west toward Parental Home Road. If the front doors are oriented facing east, then a natural buffer meeting Section 656.1222 shall be provided along Parental Home Road.
2. The front yard setback shall be a minimum of 20 feet.
3. 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.



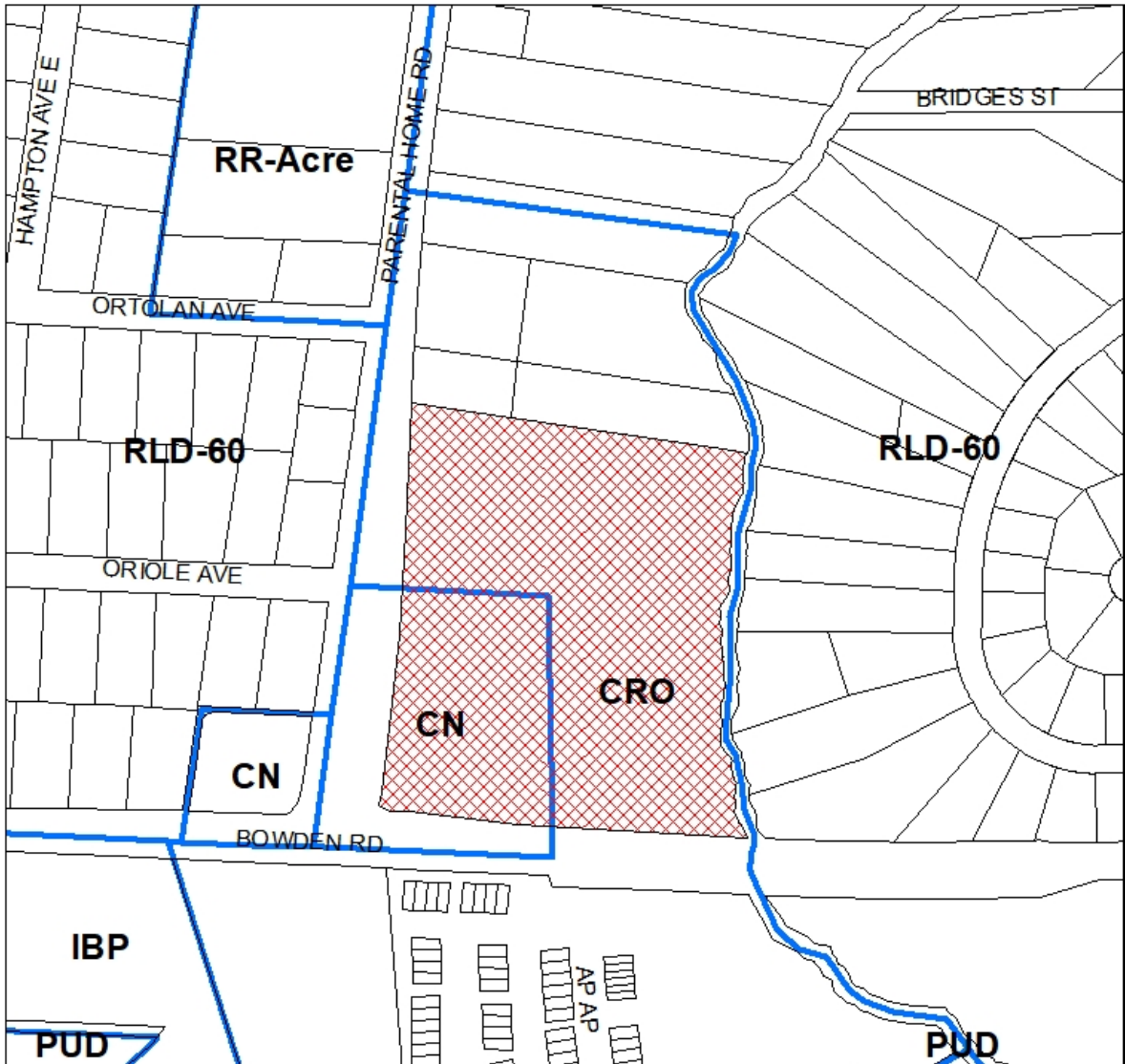
Aerial photo of subject property.



View of subject property.



Residential dwellings across from subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: CN & CRO</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>	<p>0 95 190 380 Feet</p> <p>COUNCIL DISTRICT: 4</p>
<p>ORDINANCE NUMBER: ORD-2018-0255</p>	<p>TRACKING NUMBER T-2018-1676</p>	<p>PAGE 1 OF 1</p>