

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2018-0285

TO PLANNED UNIT DEVELOPMENT

JULY 19, 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 **2018-0285** to Planned Unit Development.

Location: 671 Pecan Park Road; at the northwest corner of Pecan Park Road and the I-95 intersection

Real Estate Number(s): 108115-0000

Current Zoning District: Planned Unit Development (2007-1069-E)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Business Park (BP) and Community General Commercial (CGC)

Proposed Land Use Category: Low Density Residential (LDR)

Planning District: North, District 6

Applicant/Agent: Wyman Duggan, Esq.
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32224

Owner: Pecan Park Road Investments, LLC
1550 Madruga Avenue, Suite 130
Coral Gables, FL 33146

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2018-0285** seeks to rezone approximately 94.91 acres of property from Planned Unit Development (PUD) to Planned Unit Development (PUD). The PUD zoning district is being requested in order to allow for a residential single-family development with up to 136 single-family homes. The rezoning request includes a companion land use amendment 2017A-002 (Ordinance 2018-284) requesting a change from BP and CGC to LDR. The PUD is consistent with the proposed LDR land use category. The parcel that the PUD rezoning and Land Use Amendment is a portion of has southern frontage on Pecan Park Road, just west of I-95 in the North Planning District. Pecan Park Road is an undivided two-lane

collector roadway. The proposed PUD shows an access point from Pecan Park Road on the south side of the property.

The PUD sets development and design standards to ensure the compatibility of the proposed uses with other existing or proposed uses in the vicinity and aesthetic issues such as building setbacks and separations, signage, and landscaping.

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 Business Park (BP) and Community General Commercial (CGC) 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. There is however, a companion land use amendment application 2017A-002 (Ord. 2018-284) seeking a change to the Low Density Residential (LDR) category.

The LDR Land Use category is primarily intended to accommodate low-density residential development. Generally, single-family detached housing should be the predominant development typology in this category. New residential subdivisions in LDR should be connected to reduce the number of Vehicles Miles Traveled and cul-de-sacs should be avoided. Single-family dwellings are a principal use within LDR in the Suburban Area. The maximum gross density in the Suburban Area shall be 7 units per acre when full urban services are available to the site and there shall be no minimum density. The PUD is consistent with the proposed land use category of LDR.

(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 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 identified in the Future Land Use Map series (FLUMs): Business Park (BP) and Community General Commercial (CGC), however, a companion land use amendment application 2017A-002 (Ord. 2018-284) is seeking a change to the Low Density Residential (LDR) category. Category III wetlands are identified on the site, and the site is also within Airport Environment Zones for the Jacksonville International Airport. Please find additional information on these boundary locations below.

The proposed rezoning application has been reviewed in relation to the following goals, objectives, policies 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 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 1.1.22 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 Requires 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 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.

Recreation and Open Space Element

ROSE Policy 2.2.2 The City shall require that all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

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.

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.

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

Airport Environment Zone

Portions of the site are located within the 50- and 150- foot Height and Hazard Zones for Jacksonville International Airport. Zoning will limit development to a maximum height of either less than 50' or less than 150', depending on location within the site, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005(1)(d).

A small portion of the amendment site section of the site is within the 60-64.99 Day-Night Sound Level (DNL) noise contour range. As such this area is within the Civilian Influence Zone for Jacksonville International Airport. In accordance with Section 656.1010, the plat for a subdivision shall indicate which lots are located within a Civilian Influence Zone. No person shall sell, transfer, or lease land within a Civilian Influence Zone, unless the prospective owner, transferee or lessee has been given a disclosure of airport proximity in writing, at the time of contract of sale, transfer, or lease.

Additionally, a small portion of the site is located within a Civilian School Regulatory Zone. No new educational facility of a public or private school, with the exception of aviation school facilities, shall be permitted within an area extending along the centerline of any runway and within the Civilian School Regulatory Zone as prohibited by Section 656.1009.

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Policy 2.5.5C Within the 60DNL or higher area as depicted on Map L-22, entertainment assembly uses are only permitted in PUD developments or pursuant to preliminary site development reviews in accordance with Section 656.1003 that were approved prior to March 27, 2007 or those uses meeting the nonconforming uses definition in Section 656.1008 of the City of Jacksonville Zoning Code. All other uses are allowed subject to disclosure requirements.

Policy 2.5.6 To ensure safety and education of citizens occupying properties that are located near military and civilian airports, the City requires disclosure of airport proximity to prospective owners or lessees in the Military and Civilian Influence Zones depicted on Map L-22.

Wetlands

A wetlands survey map for the application site was created with the use of the City's GIS system and photogrammetric analysis. According to the Florida Land Use Code Classification System (FLUCCS), the property's wetlands are classified as "Wetland Forested Mixed." Approximately 58.85 acres of the 94.91 acres subject site are "Category III wetlands" that are part of larger systems that eventually drain into Seaton Creek, which empties into Thomas Creek and then into the Nassau River. These wetlands have a medium functional value for their flood storage capacity and water filtration attenuation.

Any alteration of this wetland for future development will require mitigation from the St. Johns River Water Management District and the issuance of "Environmental Resource Permit." Past permit applications to the District have either been withdrawn or denied (ERP # 99623, 118687), due to lack of information in the original office and commercial development plans. The protection of the large areas of wetlands on the amendment site should be addressed in the companion PUD rezoning process. However, residential uses are permitted in Category 3 Wetlands.

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. 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 4.1.6 The permitted uses within Category III 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) Any use not otherwise listed below, provided all of the basic requirements outlined in Policy 4.1.3 above are met:

(a) Silvicultural uses, 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.

(b) Agricultural uses, provided the following standards are met: Best Management Practices: Agriculture Such activities are to be in compliance with Chapter 40C-44, F.A.C.

(2) Any use that 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.

(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 and Mobility Management System Office (CMMSO) prior to development approvals.

(3) Allocation of residential land use

This proposed Planned Unit Development intends to utilize lands for a 136 lot single-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 use of existing and proposed landscaping: The written description indicates that Landscaping will be in accordance with the requirements set forth in Part 12 of the Zoning Code, unless otherwise approved by the Planning and Development Department; provided, however, that the required perimeter landscaping and subdivision buffer may be placed within the required building setbacks and yard requirements. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees, and shrubs, fencing and irrigation.

Traffic and pedestrian circulation patterns: The proposed traffic circulation system proposes one major roadway and one driveway connecting the site to Pecan Park Road to the south. The traffic circulation pattern and pedestrian plan will be required to be in compliance with the 2030 Comprehensive Plan.

Pecan Park Road, from International Airport Boulevard to Interstate 95, is the directly accessed functionally classified roadway. Pecan Park Road is a 2-lane undivided Class I Collector in this vicinity and is currently operating at 52.15% of capacity. This Pecan Park Road segment has a maximum daily capacity of 12,744 vpd and a 2017 daily traffic volume of 6,647 vpd. This proposal is for 136 dwelling units of ITE 210 Single Family Homes, which would generate 1,284 vpd.

Pecan Park Road from I-95 to east of Lexington Park Boulevard is currently undergoing improvements by the Florida Department of Transportation. The project includes but is not limited to reconstruction, addition of lanes in each direction, additional sidewalk and repairs, bicycle lanes, and new traffic signals at I-95 and Pecan Park Road exit ramps and Bainebridge Drive. It is the intent of the Department to recommend that Pecan Park Road be reclassified to an arterial roadway upon completion and based upon a maximum daily capacity of 39,800 vpd. It is recommended that an operational analysis be submitted to the City Traffic Engineer prior to the 10-set plan review to determine whether left and/or right turn lanes, traffic signals or other operational improvements for site ingress and egress are required. This section of Pecan Park Road will be under the jurisdiction of the FDOT as a Strategic Intermodal System (SIS) facility (SR 243) and will be subject to FDOT review and access management requirements.

The use and variety of building setback lines, separations, and buffering: The surrounding property uses include Interstate 95 to the east, single-family homes to the north and undeveloped vacant land to the west, Pecan Park Road and vacant industrial land to the south and vacant land

owned by Jacksonville Aviation Authority. As such, the proposed use is compatible in both intensity and density with the surrounding residential developments and zoning districts and is consistent and comparable to the planned and permitted developments in the surrounding area. Landscaping will be provided in accordance with the requirements set forth in Part 12 of the Zoning Code. The landscaped areas will allow for the inclusion of native or ornamental vegetation, trees, and shrubs, fencing and irrigation.

Lot Requirements for residential uses:

- a. Front - Twenty (20) feet.
 - b. Side - Five (5) feet (combined 10 feet).
 - c. Rear - Ten (10) feet. For comer/double frontage lots, the developer may designate front and side yard(s) by plat. Encroachments by subdivision buffers, landscaping, sidewalks, parking, temporary signage, utility structures, fences up to six (6) feet in height, street/park furniture, HVAC units, pools and pool enclosures and other similar improvements shall be permitted within the minimum building setbacks.
2. Minimum Lot Requirements. Fifty (50) feet wide; one hundred ten (110) feet deep. For lots located on cul-de-sacs, the minimum width shall be thirty (30) feet at the curb. So long as a cul-de-sac lot is fifty (50) feet in width at some point, the structure can be built anywhere on the lot so long as required setbacks and required building restriction lines are met.
3. Maximum Height of Structures. Thirty-five (35) feet. As provided in Section 656.405 of the City of Jacksonville Zoning Code, spires, cupolas, antennas, chimneys and other appurtenances not intended for human occupancy may be placed above the maximum heights provided for.
4. Maximum lot coverage. Fifty-five (55) percent.

(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 that is growing with new commercial and residential development. The development will provide a compatible mixture of uses which will be equal in intensity to those found within and planned for the surrounding area. The surrounding property uses include commercial to the south (Pecan Park Flea Market), vacant land to the west, and residential uses to the north. As such, the proposed use is compatible in both intensity and density with these surrounding developments and zoning districts and is consistent and comparable to the planned and permitted development in the 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(s)
North	LDR	PUD (2003-1218)	SF residential/undeveloped
South	CGC	PUD/CCG-1/CCG-2	Pecan Park flea market and RV park
East	MU	PUD/IBP	Interstate 95/undeveloped land
West	AGR IV	AGR	Undeveloped/SF homes

The area surrounding the subject site is a mix of vacant land, residential and commercial uses. In 2003, Ordinance 2003-1217-E approved a large-scale land use amendment to change 222 acres in Agriculture-III and IV (AGR-III,IV) directly to the north of the amendment site to LDR. The Bainebridge Estates residential subdivision was developed on the site. Ordinance 2009-537-E amended a 22.7 acre site in 2009 on the southern side of Pecan Park Road from Light Industrial (LI) to CGC for the creation of an RV park. In 2016, the same amendment site was part of a larger 68.68 acre rezoning (Ordinance 2016-806-E) to Planned Unit Development (PUD) to allow for expansion of the RV park.

Signage: Per the written description, at such time as the property has an approved access connection to Pecan Park Road, the PUD shall be permitted one double-faced or two single-faced externally-illuminated monument signs, not to exceed twenty-four (24) square feet in area per sign face and twelve (12) feet in height at the entrance. Directional signs that indicate ways to and from the property entrances and common areas of the development shall be permitted throughout the PUD. The design of such signs shall be reflective of the overall character of the PUD and may include the relevant project logo and name. Directional signs shall be a maximum of four (4) square feet in area per sign face. Signs such as "informational sidewalk kiosks," and multi-sided cylindrical signs shall be a maximum of four (4) square feet per side or 16 square feet for a cylinder. Directional signs may be attached to lighting fixtures within the PUD.

Because the signs discussed above are architectural elements of the PUD, intended to be compatible with and complementary of the buildings in the PUD, they may be located in structures or frames that are part of the architecture of the project.

(6) Intensity of Development

The PUD is appropriate at this location because it will be consistent and compatible with the shared vision of the community as outlined in the North Jacksonville Shared Vision and Master Plan. The proposed LDR land use category and residential PUD is compatible with the existing and proposed residential development in the area and the emerging commercial and light industrial uses. The PUD contains buffers, creating a transition of uses between the development and the residential developments located to the north and west of the subject site down Pecan Park Road. Therefore, the proposed rezoning would create a compatible and compact land use pattern and a gradual transition of densities and intensities.

(7) Usable open spaces plazas, recreation areas.

The project proposes a development for residential uses. The property is located within the North Jacksonville Vision and Master Plan, which provides for Best Practices in the development of vibrant mixed use areas. These practices include plazas, pedestrian oriented development, and focus points.

(8) Impact on wetlands

Surveying of a 2005 Geographical Information Systems shape file identified wetlands on the property. This cursory assessment has revealed the presence of jurisdictional freshwater wetlands on the site. The total on-site wetland acreage was approximated to be 50.15 acres, with

64.85 acres of uplands. Any development that will impact wetlands will be permitted pursuant to local, state and federal permitting requirements. Preserved wetlands will be placed within a conservation easement prior to the completion of construction and any on-site mitigation practices.

(9) Listed species regulations

A wildlife survey was included, as the site being is over the 50-acre threshold. The results of this endangered and threatened species survey of the site indicated that no state or federal endangered or threatened species presently exist on the site. Portions of the site appeared to be potential habitat for some of these species; however, after an intensive survey of the site and surrounding areas, none were observed.

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

The parking requirements for this development shall be consistent with the requirements of Part 6 of the Zoning Code. The proposed PUD will provide integrated parking facilities to support the proposed residential community as described above. The homes will have integrated garages and sufficient driveway space to park one car without protruding into the internal sidewalk. Garages may be side loading.

(11) Sidewalks, trails, and bikeways

The project will contain a pedestrian system meeting the requirements of the 2030 Comprehensive Plan.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on July 10, 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 2018-0285 be **APPROVED with the following exhibits:**

1. **The original legal description dated August 7, 2017.**
2. **The revised written description dated June 29, 2018.**
3. **The revised site plan dated June 29, 2018.**



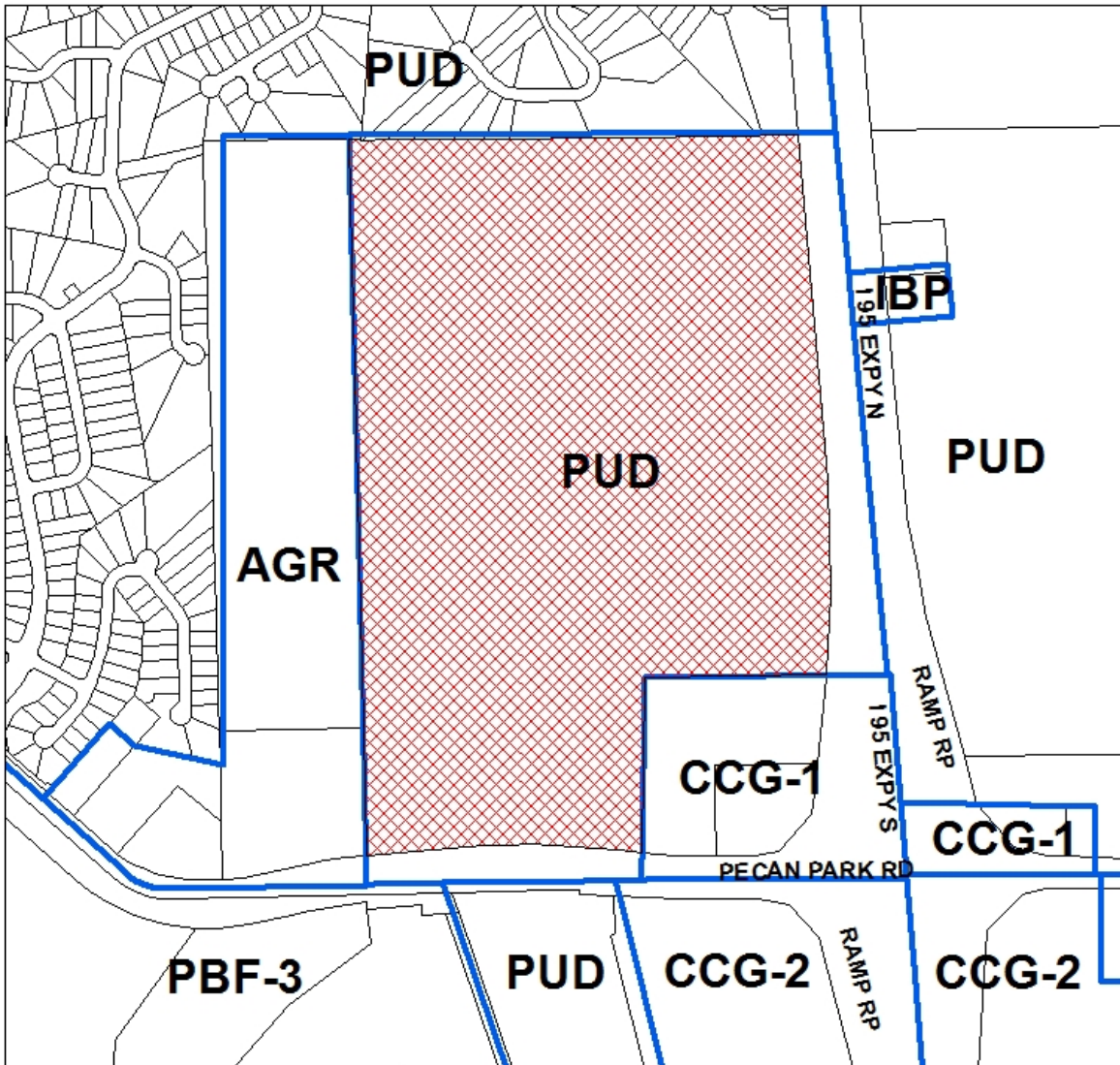
Aerial view of the subject site facing north on the north side of Pecan Park Road

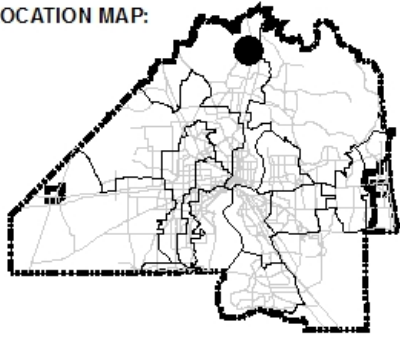
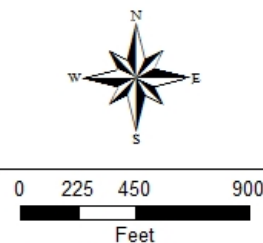


Subject site on the north side (left side) of Pecan Park Road facing east



Subject site on the north side (right side) of Pecan Park Road facing west



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p> <p>ORDINANCE 2018-0285</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER</p> <p>T-2018-1730</p>	 <p>COUNCIL DISTRICT:</p> <p>7</p> <p>PAGE 1 OF 1</p>
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