

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2018-760 TO

PLANNED UNIT DEVELOPMENT

DECEMBER 6, 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 **2018-760** to Planned Unit Development.

Location: South side of Panther Creek Parkway between Royal Dornoch Drive and Royal County Drive

Real Estate Number(s): 001860-0020, 001860-1480, 001907-0000, 001860-1060, 001860-1065, 001860-1070, 001860-1075, 001860-1080, 001860-1100, 00180-1105, 001860-1110

Current Zoning District: Commercial Office (CO)
Planned Unit Development (PUD 2016-807)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)
Neighborhood Commercial (NC)

Planning District: Southwest, District 4

Applicant/Agent: Wyman Duggan, Esq.
Rogers Towers, PA
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: Panther Creek Preserve, LLC
5711 Richard Street, Suite 1
Jacksonville, Florida 32216

Staff Recommendation: **APPROVE WITH CONDITIONS**

GENERAL INFORMATION

Application for Planned Unit Development **2018-760** seeks to rezone approximately 400.0 acres of land from CO and PUD to PUD. The rezoning to PUD is being sought so that the property can be developed with a maximum of 769 single family lots. 660 lots will be a minimum of 50 feet in width and 5,000 square feet in area and 109 lots will be a minimum of 70 feet in width and 7,000 square feet in area. Included in the proposed development are recreational facilities for the residents and their guests. In addition to single-family dwelling units, permitted uses within the proposed PUD include those allowed within the RLD zoning districts: family day care homes; community residential homes; essential services; parks, playgrounds, and recreational structures; and home occupations. No permissible uses by exception have been included. Approval of this rezoning would continue the existing Panther Creek development, which currently consists of 270± single-family dwelling units (PUD 2000-1090 and PUD 2004-614).

Also included is to relocate the entrance road (Panther Creek Parkway) to the south to align with Falkland Drive which is signalized. The realigned road will pass through a parcel zoned Commercial Office.

CRITERIA FOR REVIEW

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

(1) Is the proposed zoning district consistent with the 2030 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) and 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.

According to the Category Descriptions for the Suburban Development Area identified within the Future Land Use Element (FLUE), LDR is intended to provide for low density residential development. Single-family and multi-family dwellings are the predominant uses in the LDR category. The subject site is provided with centralized water and sewer and as such, the maximum gross density allowed shall be seven (7) units per acre. Based on the PUD written description, the total number of dwelling units allowed within the Panther Creek PUD shall not exceed 786 single-family lots. The permitted uses included within the written description of the proposed PUD are consistent with the LDR land use category. Wetlands and flood zones are located throughout on the site.

(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): Low Density Residential (LDR) and Neighborhood Commercial (NC). 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 1.1.12 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 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.

JEA has commented that water and sewer are available for the proposed development.

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.

The written description indicates the PUD will comply with the policy and provide a minimum of 1 acre of active recreation per 100 lots.

Review of City data and plans submitted to the St. Johns River Water Management District indicates the existence of wetlands throughout the subject site and as such, based upon the city's geographic information and Water Management District's data the location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. The site plan depicts a road layout which avoids the identified wetland and meets the Goals and objectives below.

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.

(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 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 existence or absence of, and the location of, open spaces, plazas, recreational areas and common areas: The proposed PUD permits recreation, open space, greenspace uses, and other similar uses permitted in the Residential Low Density (RLD) zoning districts. Further, recreational areas and open space shall be provided pursuant to Sec. 656.420 of the Zoning Code: a residential subdivision development of 100 lots or more shall provide at least one (1) acre of useable uplands for every 100 lots (and any fraction thereof). According to the Land Use Allocation Table submitted with the PUD, 1.7 percent of the total acreage will be allocated for active recreation and/or open space, and 52.5 percent of the total acreage will be passive open space. The proposed site plan identifies park areas throughout the planned subdivision.

The use of topography, physical environment and other natural features: The site plan depicts a curvilinear road layout around the existing ponds and wetlands. This layout will provide a variety of views and vistas for the residents.

The treatment of pedestrian ways: The written description includes a section which indicates that a 4 foot sidewalk will be constructed on one side of internal roads. This section does not comply with the following policy from the Transportation Element of the 2030 Comprehensive Plan. **Staff recommends the Ordinance be conditioned to meet the Comprehensive Plan.** The written description also indicates a 6 foot wide sidewalk will be constructed on the south side of Panther Creek Parkway from the realigned new entrance with Chaffee Road to the existing 6 foot wide sidewalk.

Traffic and pedestrian circulation pattern: The property will have access to Chaffee Road, an arterial roadway, via Panther Creek Parkway and via a connection to the proposed Liberty Square development south of the subject site, as shown on the proposed site plan. Within the proposed subdivision, internal vehicular access shall be provided to each dwelling unit as well as common areas as shown on the site plan. All internal roadways shall meet the standards required by the Code of Subdivision Regulations.

The use and variety of building setback lines, separations and buffering: The proposed housing development consists of two lot types. The first is defined by a minimum lot area of 5,000 square feet and a minimum lot width of 50 feet; the second is defined by a minimum lot area of 7,000 square feet and a minimum lot width of 70 feet. The minimum yard requirements within the proposed PUD are 20 feet for the front yard, five (5) feet for the side yard, and 10 feet for the rear yard.

Signage: The PUD proposes up to two (2) permanent, single-faced identity signs at the current termination of Panther Creek Parkway or one (1) permanent, double-faced sign in the median of the entry road to the development. The signs may be located within the road right-of-way or on private property. Each sign shall not exceed 24 square feet in area or 12 feet in height.

(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:

Those areas of the proposed PUD located on or near its perimeter and the conditions and limitations thereon: The subject site is surrounded by residential uses – either single-family subdivisions or rural residential lots. As such, the areas on the perimeter of the subject site are externally compatible with the proposed use of the property and adjacent properties.

The type, number and location of surrounding external uses: As mentioned above, the subject property is surrounded by residential uses. Properties to the west of the subject site are zoned RR-Acre and are comprised of rural residential lots of varying sizes. Properties to the north of the subject site are zoned RR-Acre, currently undeveloped, and Residential Medium Density-Mobile Home (RMD-MH) (Crystal Springs Estates Mobile Home subdivision). Properties to the east of the subject site comprise the existing, earlier phases of the Panther Creek subdivision (PUD 2000-1090 and PUD 2004-614). Property south of the subject site is zoned PUD, 2006-0140, which is a mixed-use PUD anchored around residential uses; this property is currently undeveloped. The proposed use of a single-family residential subdivision is compatible with the surrounding residential uses.

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	RR-Acre	Undeveloped
	MDR	RMD-MH	Crystal Springs mobile home park
South	LDR	PUD (06-140)	Undeveloped
East	LDR	PUD (89-365)	Library, offices, Glen Eagle subdivision
	NC	CO	Single family dwelling
West	LDR	RR-Acre	Single family dwellings

(6) Intensity of Development

The proposed development is consistent with the LDR and NC functional land use categories as a single family development, which is not to exceed 769 dwelling units. The PUD is appropriate at this location because it will offer alternative housing options for the area.

School Capacity

Based on the Development Standards for impact assessment, the 400 acre proposed land use map amendment has a development potential of 769 single-family dwelling units. The proposed development was analyzed in accordance with the adopted level of service standards (LOS) for

school capacity as established in the Interlocal Agreement (ILA) and the Public Schools and Facilities Element. The ILA was entered into in coordination with the Duval County Public School System (DCPS) and the other municipalities within Duval County.

School concurrency LOS is the methodology used to analyze and to determine whether there is adequate school capacity for each school type (elementary, middle, and high school) to accommodate a proposed development. The LOS (105% of permanent capacity) is based on Concurrency Service Areas (CSAs), not the closest school in the area for elementary, middle and high schools, as well as on other standards set forth in the City of Jacksonville School Concurrency Ordinance.

Public School Facilities Element

Policy 2.3.2 The City will coordinate with DCPS to establish plan review procedures to manage the timing of Future Land Use Map amendments and other land use decisions so that these decisions coordinate with adequate school capacity.

Policy 2.3.3 The City will take into consideration the DCPS comments and findings on the availability of adequate school capacity in the evaluation of comprehensive plan amendments, and other land use decisions as provided in Section 163.3177(6)(a), F.S. and development of regional impacts as provided in 1380.06, F.S

Objective 3.2 Adopted Level of Service (LOS) Standards

Through the implementation of its concurrency management systems and in coordination with the DCPS, the City shall ensure that the capacity of schools is sufficient to support new residential developments at the adopted level of service (LOS) standards within the period covered in the five-year schedule of capital improvements and the long range planning period. These standards shall be consistent with the Interlocal Agreement agreed upon by the DCPS, the City and the other municipalities. Minor deviations to the LOS standards may occur, so long as they are limited, temporary and with scheduled capacity improvements, school capacity is maximized to the greatest extent feasible.

Policy 3.1.1 The LOS standards set forth herein shall be applied consistently for the purpose of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development application, and determining the financial feasibility of DCPS Five-Year Capital Facilities Plan and the City's Capital Improvement Plan.

Supplemental School Information:

The following additional information regarding the capacity of the assigned neighborhood schools was provided by the Duval County School Board. This is not based on criteria utilized by the City of Jacksonville School Concurrency Ordinance.

SCHOOL	CONCURRENCY SERVICE AREA	STUDENTS GENERATED	SCHOOL CAPACITY (Permanent/Portables)	CURRENT ENROLLMENT 20 Day Count (2018/19)	% OCCUPIED	4 YEAR PROJECTION
Mamie Anges Jones ES #236	8	131	455	340	75%	95%
Baldwin Middle-High #38	7/8	130	1,003	1,236	123%	129%

- Does not include ESE & room exclusions
- Analysis based on development impact standards of 769 dwelling units – 2018-760

The amount and size of open spaces, plazas, common areas and recreation areas: The proposed PUD permits recreation, open space, greenspace uses, and other similar uses permitted in the Residential Low Density (RLD) zoning districts. Further, recreational areas and open space shall be provided pursuant to Sec. 656.420 of the Zoning Code: a residential subdivision development of 100 lots or more shall provide at least one (1) acre of useable uplands for every 100 lots (and any fraction thereof). According to the Land Use Allocation Table submitted with the PUD, 1.7 percent of the total acreage will be allocated for active recreation and/or open space, and 52.5 percent of the total acreage will be passive open space. The proposed site plan identifies park areas throughout the planned subdivision.

The access to and suitability of transportation arteries within the proposed PUD and existing external transportation system and arteries: The subject site currently has access to Chaffee Road, an arterial roadway, via Panther Creek Parkway. Access is also planned via a connection to the proposed Liberty Square development to the south of the subject site. Realignment of Panther Creek Parkway with Falkland Road, through the Chaffee Road intersection is planned; this will allow residents of the Panther Creek subdivision to utilize the traffic light that currently exists at the Falkland Road and Chaffee Road intersection. Sidewalks are located along both sides of Chaffee Road and along one side of Panther Creek Parkway. Based on a review by the Florida Department of Transportation (FDOT), the segments of I-10, State Road 228, State Road 23, and US Highway 90 that serve the subject site have sufficient capacity to accommodate the trips generated from the proposed development and no potential adverse impacts to state roads have been identified.

The City's Traffic Engineer had the following comments that should be recommended as conditions.

- Provide a left turn lane meeting FDOT standards on Panther Creek Parkway at the proposed road. Ensure there is adequate visibility around the curve in the vicinity of Royal Dornoch Drive for vehicles turning left.
- Sidewalk shall meet the requirements given in the Land Development Procedures Manual. 4 foot sidewalk on one side of the road does not meet those standards.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space and recreation area. A minimum of one (1) acre of recreation area shall be provided per every 100 single-family residential lots (and any fraction thereof) pursuant to Section 656.420 of the Zoning Code.

(8) Impact on wetlands

The subject site has a large area of “Category II (48 acres) and III” (74 acres) type wetlands. The Category II wetlands are associated with drainage ways that are located within an “AE” flood zone system. Therefore, the wetland system has a high functional value due to the flood storage capacity and water filtration attenuation. According to the St. Johns River Water Management District’s website the proposed development has an Environmental Resource Permit (Permit # 67174-8) for the wetland alteration and mitigation. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

A listed species study for the subject site has been completed. No listed species were noted during the study.

(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 written description includes a section which indicates that a 4 foot sidewalk will be constructed on one side of internal roads. This section does not comply with the following policy from the Transportation Element of the 2030 Comprehensive Plan. **Staff recommends the Ordinance be conditioned to meet the Comprehensive Plan.**

TE Policy 4.1.2 The City shall require new local streets serving residential areas to include four-foot sidewalks on both sides of the street within the dedicated right-of-way or an approved alternative pedestrian circulation system approved by the Jacksonville Planning and Development Department (JPDD).

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on November 28, 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 **2018-760** be **APPROVED with the following exhibits:**

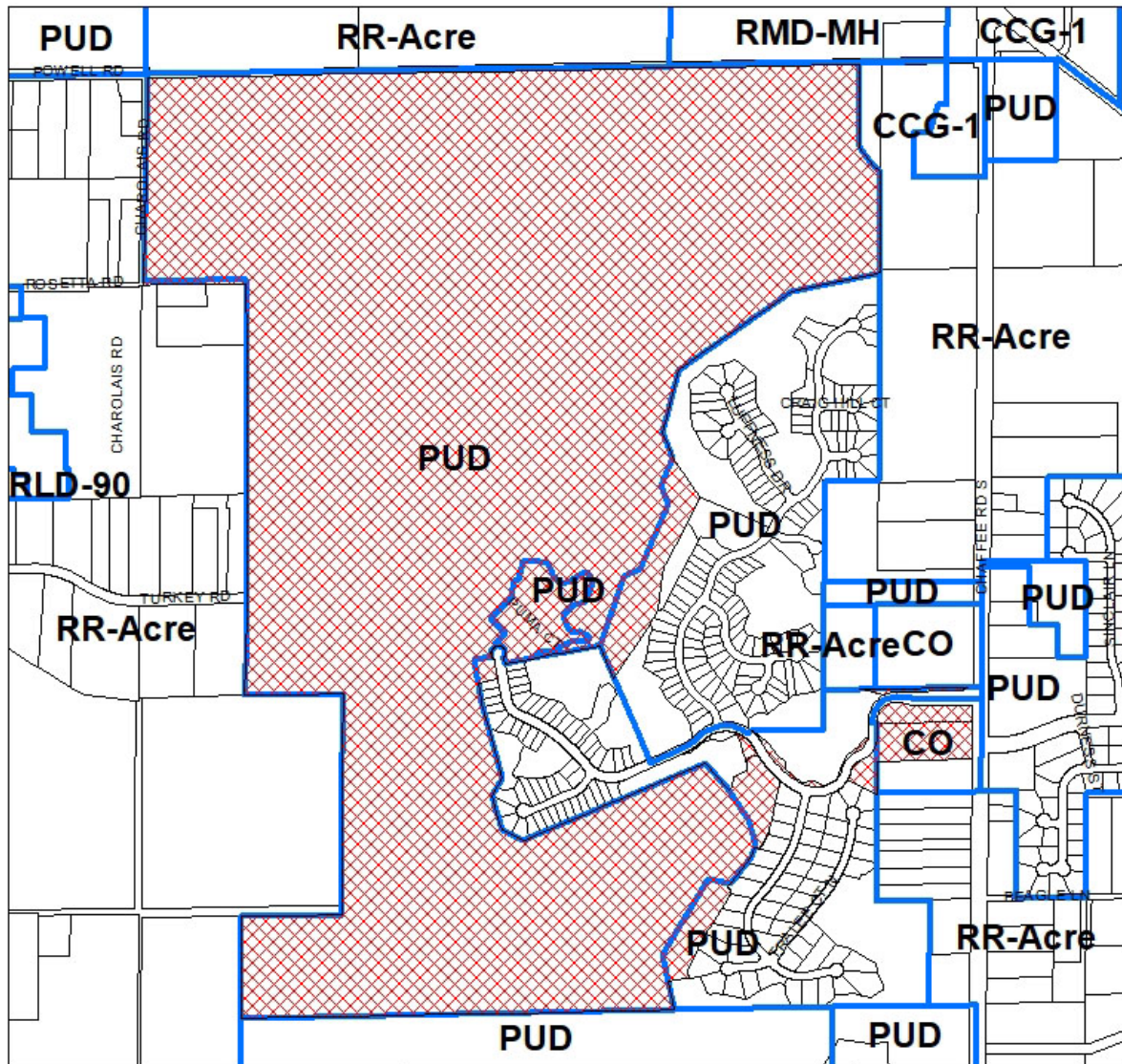
1. The original legal description dated August 20, 2018.
2. The revised written description dated November 28, 2018.
3. The revised site plan dated November 28, 2018.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2018-760** be **APPROVED subject to the following conditions, which may only be changed through a rezoning:**

1. Provide a left turn lane meeting FDOT standards on Panther Creek Parkway at the proposed road. Ensure there is adequate visibility around the curve in the vicinity of Royal Dornoch Drive for vehicles turning left.
2. Sidewalks shall meet the requirements given in the Land Development Procedures Manual.
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 view of subject property.



<p>REQUEST SOUGHT:</p> <p>FROM: CO & PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p>	<p>0 335 670 1,340 Feet</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2018-0760</p>	<p>TRACKING NUMBER</p> <p>T-2018-1952</p>	<p>COUNCIL DISTRICT:</p> <p>12</p> <p>PAGE 1 OF 1</p>