

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2020-174 TO
PLANNED UNIT DEVELOPMENT

JUNE 18, 2020

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 **2020-174** to Planned Unit Development.

Location: North side of Garden Street between Messer Road and Paxton Road

Real Estate Number(s): 002842-0000

Current Zoning District(s): Planned Unit Development (PUD 2006-479)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Northwest, District 5

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

Owner: Drees Homes of Florida, Inc.
9452 Philips Highway, Suite 4
Jacksonville, Florida 32256

Staff Recommendation: **APPROVE WITH CONDITION**

GENERAL INFORMATION

Application for Planned Unit Development **2020-174** seeks to rezone approximately 74.02 acres of land from PUD to PUD. The rezoning to PUD is being sought to allow a single family subdivision not to exceed 211 lots. 156 lots will be a minimum of 50 feet in width and 5,000 square feet in area. 55 lots will be 60 feet in width and 6,000 square feet in area.

The current PUD, 2006-479-E, allows for a maximum of 215 single family lots. 135 lots are 50 feet in width and 5,000 square feet in area and 80 lots are 60 feet in width and 6,000 square feet

PUD Ord. 2006-479-E was approved with the following conditions:

- (a) Development shall proceed in accordance with the Traffic Engineering Division Memorandum dated May 18, 2006 and the Transportation Planning Division Memorandum dated May 2, 2006, or as otherwise approved by the Traffic Engineering Division and the Planning and Development Department.
- (b) Future access points shall be maintained at a width of at least sixty feet, as shown on the site plan. These access points shall be maintained for donation to the City, for five years from the effective date of this ordinance. The City shall notify, in writing, the current owner of record if and when the City seeks such donation, and shall accept donation within six months of such notice, unless extended by mutual agreement. If commencement of the final phase of development of the subject property (evidenced by a horizontal construction permit) occurs after four years from the effective date of this ordinance, then the developer shall notify the Planning and Development Department Director, and the City shall have thirty days from receipt of such notification to accept or abandon the donation defined herein.
- (c) The maximum lot coverage shall be forty-five percent (45%).
- (d) A detailed recreation plan shall be submitted to the Planning and Development Department for review and approval at the time of site plan review.
- (e) The developer shall pay into an escrow account, established by the Duval County School Board, a per-unit portion (prior to obtaining each building permit) of \$140,000.00, based upon the maximum number of units permitted in the PUD; provided, however, that the developer shall pay the total \$140,000.00, plus accrued interest as defined herein, within five years of the effective date of this ordinance. Any unpaid portion of the \$140,000.00 as of October 31, 2007, shall be increased by an inflation factor of 6%, and thereafter, increased by an inflation factor of 6% on October 31 of each subsequent year. The developer may choose to pay the total \$140,000.00 prior to obtaining any building permits, with no penalty.

The Planning & Development Department has reviewed the conditions and offers the following comments:

- (a) This condition may be removed as Transportation Planning Division and the Traffic Engineer has issued new comments.
- (b) There are significant wetlands along the eastern boundary of the subject property and a railroad along the north and west. Requiring interconnectivity is not expected to provide a benefit as there are no roads to connect to in the immediate proximity. This condition may be removed.
- (c) This condition may be removed as the lot coverage in the Zoning Code has been increased to 50%.
- (d) This condition may be removed as the intended plan of development shows a recreation plan that complies with the Zoning Code.
- (e) This condition was imposed before the City incorporated schools into the Concurrency and Mobility System. It may be removed.

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.

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

Yes. The Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. The proposed PUD for a maximum of 211 single family lots with a gross density of 2.9 units/acre, significantly less than the 7 units/acre permitted in the land use category. 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. A

(B) Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element:

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.

Policy 1.1.24 The Planning and Development Department and JEA will coordinate the location of future water and sewer lines with land use designations in the City's comprehensive Plan in order to influence both the timing and location of future growth.

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 locational criteria of the 2010 Comprehensive Plan and subsequent Land Development Regulations.

Policy 3.1.5 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.

(C) Does the proposed rezoning conflict with any portion of the City's land use Regulations?

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

(1) Consistency with the 2030 Comprehensive Plan

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Low Density Residential. The Planning and Development Department finds that the proposed PUD is consistent with the 2030 Comprehensive Plan, as evaluated in Criteria (B).

(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 subdivision. 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. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The streetscape: The intended plan of development uses setbacks, lot sizes that will create a streetscape that is substantially similar to existing subdivisions in the area.
- The existence or absence of, and the location of open spaces, plazas, recreational areas and common areas: The site plan shows a 2.37 acre recreational area, which complies with the active recreation requirements in the Zoning Code.
- The use of topography, physical environment and other natural features: The site plan indicates the development will incorporate the existing pond into the design.
- Traffic and pedestrian circulation patterns: The site plan shows a typical subdivision layout with a single entrance and internal loop roads

- The use and variety of building setback lines, separations, and buffering: The written description is providing setbacks, building heights and lot coverage which are consistent with residential development standards in the Zoning Code.
- The use and variety of building sizes and architectural styles: The PUD documents do not provide information on the proposed architectural styles in the development.

(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 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	AGR-iii	AGR	Undeveloped
South	AGR-iv	AGR	Single family dwellings
East	AGR-iv	AGR	Single family dwellings
West	AGR-iv	AGR	Single family dwellings

(6) Intensity of Development

The proposed development is consistent with the Low Density Residential functional land use category as a single family subdivision with a maximum of 211 lots. The PUD is appropriate at this location as it will provide residential dwellings in proximity to businesses expanding in the area.

- The availability and location of utility services and public facilities and services: JEA indicates there is a 16 inch water main and a 12 inch sewer main along the Garden Street frontage of the subject property.
- The Duval County School District has determined the proposed development will not impact the existing schools. See their comments at the end of the report.
- The Transportation Planning Division **CONDITIONS** the following for approval:
A traffic study must be provided by the City of Jacksonville Planning and Development Department prior to the final 10-set review. The traffic study shall be conducted by a professional traffic engineer, and a methodology meeting shall be held with the Transportation Planning Division and the City Traffic Engineer prior to the commencement of the study.

(7) Usable open spaces plazas, recreation areas.

The project will be developed with the required amount of open space and recreation area. The intended plan of development indicates that 2.37 acres of active recreation area will be provided. 9.92 acres of wetlands are also being set aside.

(8) Impact on wetlands

The St. Johns River Water Management District (SJRWMD) reviewed and approved the wetland extant and issued a formal jurisdiction determination #157318-1 on May 2, 2019. The U.S. Army Corps of Engineers (USCOE) also reviewed and approved the wetland boundary. Any development impacting wetlands will be permitted pursuant to local, state and federal permitting requirements.

(9) Listed species regulations

The Listed Species Report dated January 2020, indicated there is no critical habitat or listed species observed on the subject property.

(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 April 9, 2020, 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 **2020-174** be **APPROVED with the following exhibits:**

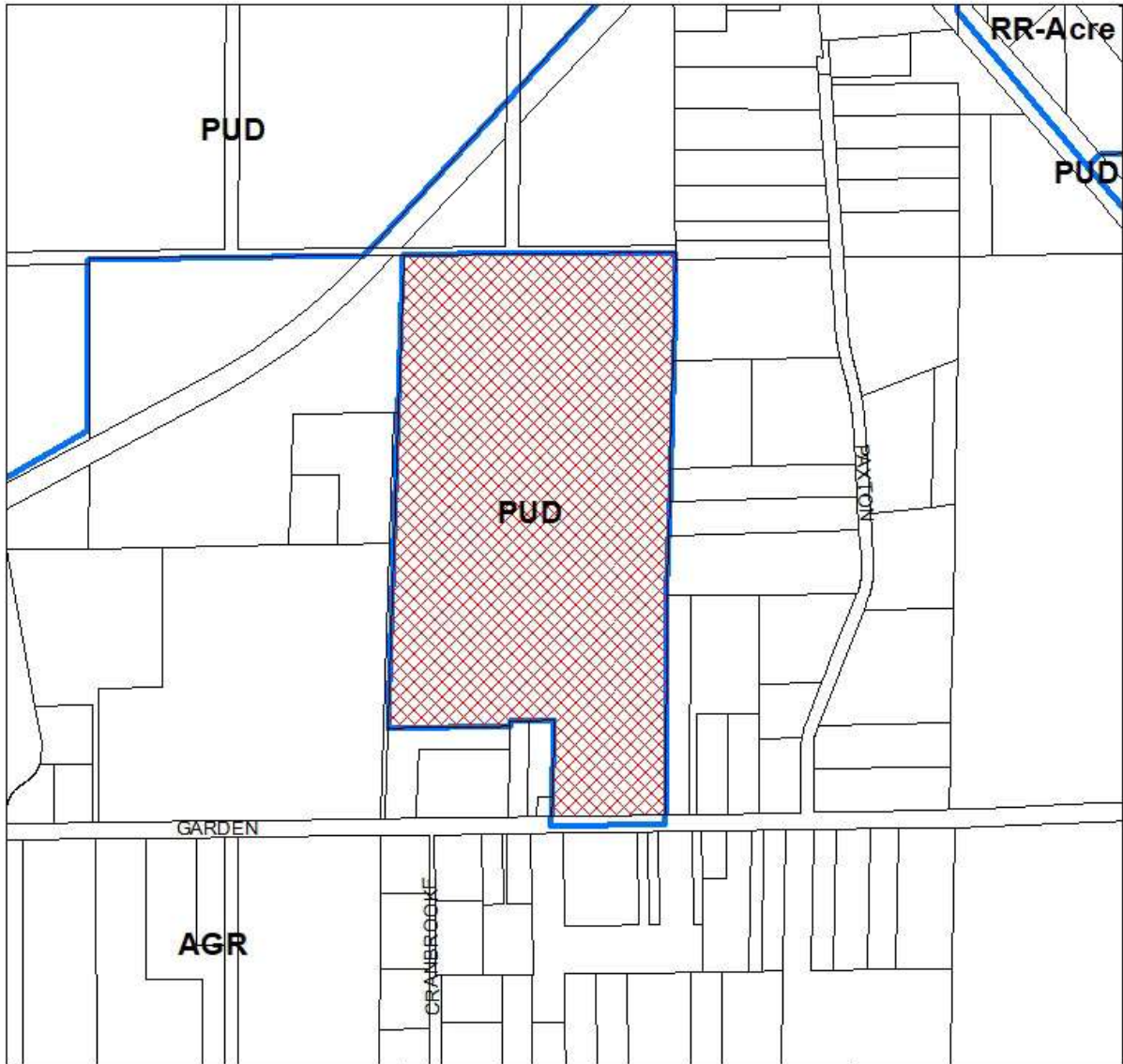
1. The original legal description dated January 24, 2020.
2. The original written description dated February 12, 2020.
3. The original site plan dated January 12, 2020.

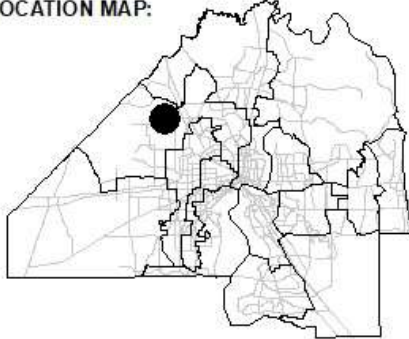

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2020-174** be **APPROVED subject to the following condition, which may only be changed through a rezoning:**

1. A traffic study shall be provided by the City of Jacksonville Planning and Development Department prior to the final 10-set review. The traffic study shall be conducted by a professional traffic engineer, and a methodology meeting shall be held with the Transportation Planning Division and the City Traffic Engineer prior to the commencement of the study.



Aerial view of subject property



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: PUD</p>	<p>LOCATION MAP:</p> 	 <p>0 250 500 1,000 Feet</p>
<p>ORDINANCE NUMBER ORD-2020-0174</p>	<p>TRACKING NUMBER T-2020-2734</p>	<p>COUNCIL DISTRICT: 8</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>