

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2016-0807

TO PLANNED UNIT DEVELOPMENT

JANUARY 19, 2017

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 **2016-0807** to Planned Unit Development.

Location: 11367 Panther Creek Parkway,
between Interstate-10 (I-10) and New World Avenue

Real Estate Number(s): 001860-0020

Current Zoning District(s): Residential Rural-Acre (RR-Acre) and Planned Unit Development (PUD 2004-0614)

Proposed Zoning District: PUD

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest, District 4

Planning Commissioner: Chris Hagan

City Council District: The Honorable Doyle Carter, District 12

Applicant/Agent: Curtis L. Hart
Hart Resources LLC
8051 Tara Lane
Jacksonville, FL 32216

Owner: R. Kent Curley
Panther Creek Golf Club, Inc.
P.O. Box 23518
Jacksonville, FL 32241

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Planned Unit Development **2016-0807** seeks to rezone approximately 388± acres of land from RR-Acre and a small portion of PUD 2004-614 to PUD so as to develop the subject site as a single-family residential subdivision with 685 lots. 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). The property is located at 11367 Panther Creek Parkway, west of Chaffee Road, a two-lane minor arterial roadway, and north of New World Avenue. The property has a current zoning designation of RR-Acre and is located in the Low Density Residential (LDR) future land use category within the Suburban Development Area (SA) as designated in the *2030 Comprehensive Plan*. This is an undeveloped site located amongst residential uses - single-family subdivisions to the east of the subject site and rural residential lots to the west. Commercial uses are located in the vicinity of the subject site to the northeast at the intersection of Interstate-10 (I-10) and Chaffee Road.

The rezoning to PUD is being sought to provide for the expansion of the Panther Creek single-family residential subdivision. The proposed development consists of two (2) parcels. Parcel A proposes 360 lots, with a minimum lot area of 5,000 square feet, consistent with the Residential Low Density-50 (RLD-50) zoning district. Parcel B proposes 325 lots, with a minimum lot area of 7,000 square feet, consistent with the RLD-70 zoning district. 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.

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 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 sets out a unified development plan for an undeveloped property located adjacent to the existing Panther Creek subdivision. The proposed PUD seeks to permit the development of 685 single-family residential lots. The subject site is located to the west of the current Panther Creek subdivision (PUD 2000-1090 and PUD 2004-0614) and is planned to be an expansion of the current subdivision. Rural residential properties of varying lot sizes are located to the west of the subject site.

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

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 meet all portions of the City's land use regulations and further 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 a 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 Low Density Residential (LDR) functional land use category as identified in the Future Land Use Map series (FLUMs). The PUD site plan is compatible with the development characteristics of the LDR, Suburban Area (SA) land use category description.

This proposed rezoning to Planned Unit Development is consistent with the *2030 Comprehensive Plan* including the following Future Land Use Element (FLUE) objectives and policies:

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 1.1.12

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 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 3.1.6

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 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.

The PUD proposes the development of a single family subdivision accessed via Chaffee Road, an arterial roadway, on a residential infill property, expanding the existing Panther Creek subdivision. The proposed subdivision is in the vicinity of commercial uses located along Chaffee Road and at the intersection of Chaffee Road with I-10 (just north of the subject site). The PUD proposes a mix of lot sizes – 50 foot wide lots and 70 foot wide lots – within the same subdivision, and as such, provides for innovative site planning among complementary uses. Therefore, the proposed PUD is consistent with FLUE Objectives 1.1, 3.1, and 6.3; and FLUE Policies 1.1.12 and 3.1.6.

The proposed rezoning has been identified as being related to the following issues addressed in the *2030 Comprehensive Plan*.

Flood Zone

The subject site is within the AE and A flood zone. 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”. Moderate flood hazard areas, are also shown on the map for the property (See Attachment E) as are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Conservation /Coastal Management Element

CCME 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.

CCME 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.

CCME 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.

Wetlands

The subject site has large areas of wetlands on site. There are some isolated “category III” wetland as well as large areas of “category II” wetland associated with the flood plains and drainage ways.

Conservation /Coastal Management Element

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 wetlands 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 4.1.3

The following performance standards shall apply to all development, except public utilities and roadways, permitted within Category I, II, and III wetlands:

- (a) encroachment in Category I, II, or III wetlands is the least damaging and no practicable on-site alternative exists; and
- (b) No net loss Development is designed and located in such a manner that there is no net loss to the wetland functions including but not limited to:
 - i) the habitat of fish, wildlife and threatened or endangered species,
 - ii) the abundance and diversity of fish, wildlife and threatened or endangered species,
 - iii) the food sources of fish and wildlife including those which are threatened or endangered,
 - iv) the water quality of the wetland, and
 - v) the flood storage and flood conveyance capabilities of the wetland

CCME Policy 4.1.7

High intensity wetlands surveys shall be submitted for all land use amendments where City data indicates potential existence of wetlands on the subject site. Rezoning and site plan applications shall include high intensity wetlands surveys where City data indicates potential existence of wetlands on the subject site and where there is a high potential for wetland impact. For the purposes of this policy, a high intensity wetlands survey shall include the location, type(s), size, quality and functional value of all wetlands located within the boundaries of the application site. Land Use amendments to the Conservation Future Land Use Category are exempt from this

requirement.

When the applicant submitted the proposed plan for development the high intensity wetlands survey was accepted by the Water Management District. In addition large areas of retention lakes and wetlands are proposed as open space as part of the development's mitigation.

Airport Environment Zone

The site is located within the 300 foot Height and Hazard Zone for the Whitehouse Naval Airfield. Zoning will limit development to a maximum height of less than 300 feet, 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 656.10051(d).

Future Land Use Element

FLUE 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.



Created Nov 3, 2008

Given the aforementioned, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 *Comprehensive Plan* pursuant to Chapter 650, *Comprehensive Planning Ordinance*.

(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 (CMSO) applicable to the subject site prior to development approvals. The developer will need to apply for mobility and concurrency for the number of lots/units consistent with the number approved in the PUD.

(3) Allocation of residential land use

This proposed PUD intends to utilize lands for a single-family residential development. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis, contained within the Future Land Use Element (FLUE) of the *2030 Comprehensive Plan*.

(4) Internal compatibility

The proposed PUD is consistent with 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 existing and proposed landscaping: The subject site is currently undeveloped; intentional landscaping does not exist. Proposed landscaping and tree protection shall be provided in accordance with Sec. 656, Part 12 of the Zoning Code.

The treatment of pedestrian ways: Sidewalks will be provided as required by the *2030 Comprehensive Plan*.

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 request for the proposed PUD to develop single-family housing within the LDR land use category is consistent with the adjacent uses, zoning and land use categories as shown below:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR/MDR	RR-Acre/RMD-MH	Undeveloped/mobile home subdivision
East	LDR	RR-Acre/PUD	Undeveloped/single-family subdivision
South	LDR	PUD	Undeveloped
West	LDR	RR-Acre	Single-family residential

(6) Intensity of Development

The proposed development is a single-family subdivision, consistent with the LDR functional land use category, not to exceed 685 lots. The PUD is appropriate at this location with specific reference to the following:

The existing residential density and intensity of use of surrounding lands: Properties surrounding the subject site have a designated land use category of LDR according to the FLUMs of the 2030 *Comprehensive Plan*. This land use category allows for a density of up to seven (7) dwelling units per acre when full urban services are available. The densities of the

residential developments surrounding the subject site are below this maximum. The proposed development reaches a density of approximately two (2) dwelling units per acre, which is similar to and consist with the surrounding properties.

The availability and location of utility services and public facilities and services: The subject site is served by the following schools:

School	Students Generated	Capacity	Enrollment	% Occupied
Chaffee Trail #142	114	808	730	90%
*Baldwin Middle/High #38	50	1003	1208	120%
*Baldwin Middle/High #38	64	1003	1208	120%

*Note - Baldwin Middle/High is a combined facility – total school capacity for grades 6-12 is 1003.

Due to the class size amendment, the capacity of Duval County schools is currently under review. The School Board, with the support of the Planning and Development Department through the Joint Planning Committee of the Jacksonville City Council and the Duval County School Board, is working on addressing enrollment and capacity issues in several ways, including site acquisition. In addition, the School Board has options to address student enrollment at specific schools including boundary adjustments, changes in special assignments and adjustments to magnet programs.

Jacksonville Electric Authority (JEA) electric, water, and sewer services are available at this location. A JEA letter of availability has been issued for this project (2016-1605).

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. An arterial road provides service which is relatively continuous and of a relatively high traffic volume, long trip length, and high operating speed. Arterial roads have restricted parking, access control, with signals at important intersections and stop signs on the side streets. 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.

(7) Usable open spaces plazas, recreation areas.

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 and III” 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 # 67174-1 through 8) for the wetland alteration and mitigation.

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

(11) Sidewalks, trails, and bikeways

The proposed site plan provides for pedestrian circulation. The project will be required to maintain a pedestrian system that complies with the *2030 Comprehensive Plan*.

SUPPLEMENTAL INFORMATION

Upon visual inspection of the subject property on December 15, 2016, the required Notice of Public Hearing signs were not posted. However, the applicant posted the signs later in the day on December 15th and provided photographs of the posted signs.



Source: Applicant
Date: December 15, 2016

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2016-0807** be **APPROVED** with the following exhibits:

1. The legal description dated October 10, 2016.
2. The revised written description dated December 28, 2016.
3. The site plan dated October 3, 2016.

Based on the foregoing, it is the recommendation of the Planning and Development Department that the application for Rezoning **2016-0807** be **APPROVED**.



Aerial

Source: Staff, Planning and Development Department
Date: December 15, 2016



Subject Site

*Source: Staff, Planning and Development Department
Date: December 15, 2016*



View to the north from the proposed entrance of the subject site

*Source: Staff, Planning and Development Department
Date: December 15, 2016*



Property directly across from the proposed entrance to the subject site

Source: Staff, Planning and Development Department

Date: December 15, 2016



View to the south from the proposed entrance of the subject site

Source: Staff, Planning and Development Department

Date: December 15, 2016



Panther Creek subdivision entrance from Chaffee Road
Source: Staff, Planning and Development Department
Date: December 15, 2016

