

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2015-0243

MAY 7, 2015

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 2015-0243**.

Locations: 7275 Old Middleburg Road South; on the east side of Old Middleburg Road between Hipps Road and Taylor Field Road

Real Estate Numbers: 016321-0000

Current Zoning District: Residential Rural-Acre (RR-Acre)

Proposed Zoning District: Residential Low Density-60 (RLD-60)

Current Land Use Category: Low Density Residential (LDR)

Planning District: Southwest, District 4

City Council District: The Honorable Jim Love, District 14

Applicant/Agent: Eric Almond
Almond Engineering, P.A.
6277 Dupont Station Court E., Suite 1
Jacksonville, FL 3221

Owners: MNI Investment, LLC
2088 Water Crest Drive
Fleming Island, Florida 32003

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2015-0243** seeks to rezone a 12.39 acre parcel on the east side of Old Middleburg Road between Hipps Road and Taylor Field Road from the Residential Rural-Acre (RR-Acre) zoning district to the Residential Low Density-60 (RLD-60) zoning district. The site is within the LDR functional land use category as defined by the Future Land Use Map series (FLUMs) contained in the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. According to the applicant, the request for the rezoning is to

allow for a thirty-two (32) lot single-family subdivision. The overall site has 240' frontage along Old Middleburg Road South, which is a collector road as classified by the Functional Highway Classification Map of the 2030 Comprehensive Plan.

STANDARDS, CRITERIA AND FINDINGS

Pursuant to Section 656.125 of the Zoning Code, an applicant for a proposed rezoning bears the burden of proving, by substantial competent evidence, that the proposed rezoning is consistent with the City's comprehensive plan for future development of the subject parcel. In determining whether a proposed rezoning is consistent with the 2030 Comprehensive Plan, the Planning and Development Department considers several factors, including (a) whether it is consistent with the functional land use category identified in the Future Land Use Map series of the Future Land Use Element; (b) whether it furthers the goals, objectives and policies of the Comprehensive Plan; and (c) whether it conflicts with any portion of the City's land use regulations. Thus, the

fact that a proposed rezoning is permissible within a given land use category does not automatically render it consistent with the 2030 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. Is the proposed rezoning consistent with the 2030 Comprehensive Plan?

Yes. The Planning and Development Department finds that the subject property is located in a Low Density Residential (LDR) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The LDR functional land use is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. New residential subdivisions in LDR should be connected to reduce the number of Vehicles Miles Traveled and cul-de-sacs should be avoided.

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.

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

Yes. The proposed amendment is consistent with the following policies of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

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 Developmental Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations. The proposed RLD-60 zoning district allows development compatible with the surrounding lot sizes.

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. This application for rezoning will allow for the existence of a single-family development, thereby strengthening the viability of the residential area.

3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

No. It is the opinion of the Planning and Development Department that the proposed rezoning does not appear to be in conflict with any portion of the City's land use regulations.

SURROUNDING LAND USE AND ZONING

The subject properties are located on Old Middleburg Road South. The surrounding uses, land use category and zoning are as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	NC	CO	Undeveloped/timber
East	LDR	RR-Acre	Undeveloped/timber
South	LDR	RR-Acre	Single-family
West	LDR	PUD (1985-699)	Single-family

The surrounding area contains PUD and Residential Rural-Acre zoning districts. The Hawks Point development (PUD 2001-0190) on the south side of Taylor Field Road was approved for 286 lots between sixty and seventy feet wide. The Plum Tree (PUD 1985-0699) subdivision on the western side of Old Middleburg Road South at Hipps Road permitted 749 lots with the RLD-60 development standards. The Plantation Oaks PUD (Ord. 2003-1158) to the south and west of the subject site is approximately 445 acres in size and allows for a maximum of 800 lots total in all phases with a minimum lot width of 50 feet. The proposed rezoning would allow for development of 32 lots per subdivision standards and the RLD-60 criteria for single-family homes. Thus, this rezoning request will be consistent and compatible with development and zoning in the surrounding area.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on the required Notice of Public Hearing signs were posted on April 27, 2015.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2015-0243** be **APPROVED**.



Aerial view of the subject site



The subject site facing northeast from Old Middleburg Road S.



The subject site facing east from Old Middleburg Road S.



The subject site facing east from Old Middleburg Road S.



The subject site facing on the left facing southeast from Old Middleburg Road S.

