

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2015-490

AUGUST 20, 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 **Ord. 2015-490**.

Location: 0 Jane Street
between Merrill Road and I-295

Real Estate Numbers: 120614-0000, 120618-0050, 120615-0000,
120618-0000

Current Zoning District: Planned Unit Development (PUD's 2008-435 and
2005-1007)

Proposed Zoning District: Residential Low Density-40 (RLD-40)

Current Land Use Category: Community General Commercial (CGC)
Medium Density Residential (MDR)

Planning District: Southwest, District 2

Planning Commissioner: Anthony Robbins

City Council District: The Honorable Joyce Morgan, District 1

Agent: Wyman Duggan, Attorney
1301 Riverplace Boulevard
Jacksonville, Florida 32207

Owner: RL Regi Florida, LLC
790 NW 107th Avenue, Suite 400
Miami, Florida 33172

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning **2015-490** seeks to rezone approximately 14.20 acres of land from the Planned Unit Development (PUD 2008-435) to the Residential Low Density-40 (RLD-40)

zoning district. According to the applicant, the request for the rezoning is for development of a single-family residential subdivision. PUD 2008-435 was sought so that the property could be developed with up to 270 multi-family dwelling units. The former PUD (2005-1207-E) allowed for 192 units. At that time, the 78 additional units requested were due to the developer's research and what they felt were changing market demands in the area.

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. In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the Planning and Development Department finds that the subject property is located in the MDR and CGC functional land use categories according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. In the description of the Commercial Land Use category it states;

Commercial Secondary Uses: Secondary uses permitted in all residential land use categories are also allowed in all commercial land use categories, including schools.

The CGC and MDR land use categories permits housing developments up to a maximum of seven dwelling units per acre. The proposed RLD-40 Zoning District is permitted in the CGC and MDR land use categories Therefore the proposed rezoning meets the minimum requirements in establishing consistency with the land use categories.

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

Yes. The proposed rezoning furthers the goals, objectives and policies of the 2030 Comprehensive Plan, including the following:

FLUE Policy 1.1.9 Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

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 Policy 3.1.8 The City shall give high priority consideration to the provision of affordable housing in land development and funding decisions, especially those made relating to public/private cooperative efforts in which the City is participating.

As stated above, the proposed rezoning will further the objectives and policies of the 2030 Comprehensive Plan.

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

No. The proposed rezoning is not in conflict with any portion of the City's land use regulations. The subject property meets the minimum lot requirements of the RLD-40 zoning district as set forth in Section 656.305 of the Zoning Code. Furthermore, the subject properties identified appear to contain adequate acreage to support new residential development on the subject property that will comply with current land use regulations of the City of Jacksonville.

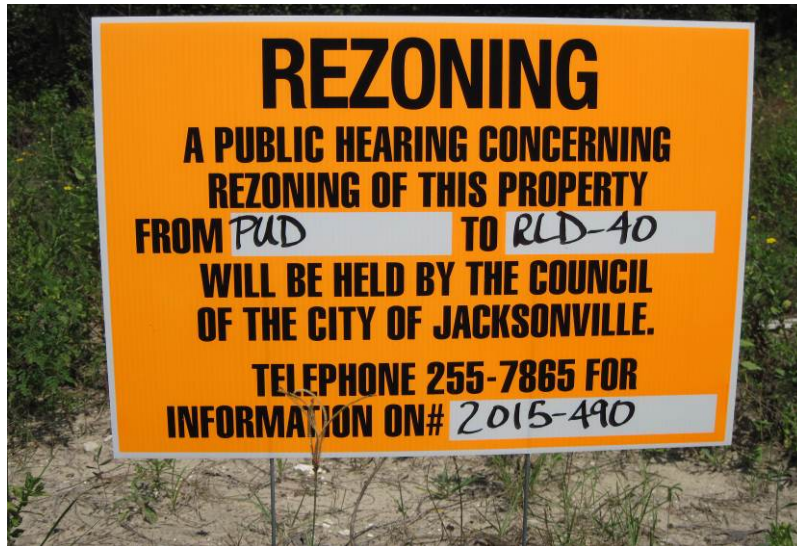
SURROUNDING LAND USE AND ZONING

The subject property is located at 8743 Kaye Lane which also has other adjoining properties surrounding land uses and zoning districts are as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	CGC	CCG-1	Commercial retail center
East	MDR	RMD-A	Single-family
	BP	IBP	Undeveloped industrial
South	CGC	PUD (2008-435)	Undeveloped commercial
West	BP	IBP	Undeveloped industrial

SUPPLEMENTARY INFORMATION

Staff acknowledges receipt of posted public notice sign by applicant on the subject property on was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2015-490 be APPROVED.



Subject site

Date: August 12, 2015

Source: City of Jacksonville, Planning & Development Department



Entrance to subject site

Date: August 12, 2015

Source: City of Jacksonville, Planning & Development Department



Hotel to the northwest of subject property

Date: August 12, 2015

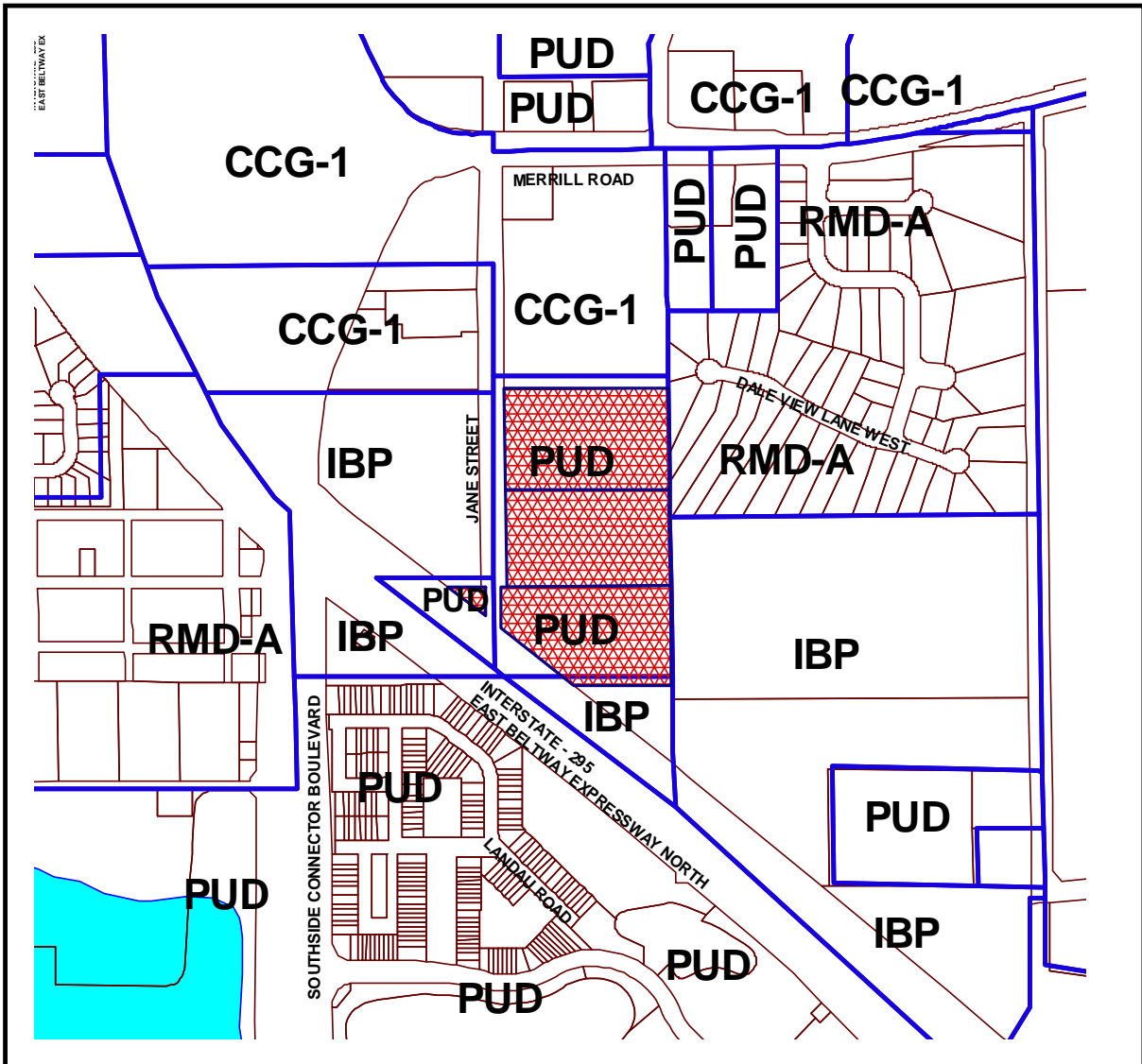
Source: City of Jacksonville, Planning & Development Department



Commercial shopping center located east of subject site

Date: August 12, 2015

Source: City of Jacksonville, Planning & Development Department



<p>REQUEST SOUGHT:</p> <p>FROM: PUD & PUD</p> <p>TO: RLD-40</p>		<p>0100 Feet</p> <p>COUNCIL DISTRICT:</p> <p style="text-align: center;">2</p>
<p>ORDINANCE NUMBER:</p> <p>ORD-2015-0490</p>	<p>TRACKING NUMBER:</p> <p>T-2015-0853</p>	<p style="text-align: center;">Exhibit 2</p>