

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2015-847

JANUARY 21, 2016

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 2015-847**.

<i>Location:</i>	North of Regency Square Boulevard and west of Kendall Drive
<i>Real Estate Numbers:</i>	120820 1770 & a portion of 120820 2010
<i>Current Zoning District:</i>	Commercial General Community-1 (CCG-1)
<i>Proposed Zoning District:</i>	Residential Low Density – 50 (RLD-50)
<i>Current Land Use Category:</i>	Community General Community (CGC)
<i>Proposed Land Use Category:</i>	Low Density Residential (LDR)
<i>Planning District:</i>	Arlington/Beaches, District 2
<i>Planning Commissioner:</i>	Vacant/ Chris Hagan
<i>City Council District:</i>	The Honorable Joyce Morgan, District 1
<i>Applicant/Agent:</i>	Curtis Hart/Hart Resources LLC 8051 Tara Lane Jacksonville, Florida 32216
<i>Owner:</i>	Mark Knowles Mill Creek LLC 3840 Crown Point Road, Suite A Jacksonville, Florida 32257
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2015-847** seeks to rezone 4.71+/- acres from Commercial Community General-1 (CCG-1) to Residential Low Density-50 (RLD-50). The proposed use would be for single family homes, on 50 foot wide lots.

There is a companion Small Scale Land Use Amendment application 2015C-025 (Ordinance 2015-846) that proposes to change a portion of the land use from Community General Commercial (CGC) to Low Density Residential (LDR).

In 2004 land use amendment application, 2004C-028 (Ordinance 2004-1198) was made for this property to change the land use category from RPI to CGC for commercial development. However, the site was never developed. Prior to that date, in the year 2000 and land use amendment application (Ordinance 2000-882) was made to change the land use category from CGC to RPI. The property immediately south and adjacent to the application site was recently approved for a mixed use PUD (Ordinance 2015-064). The PUD named Cassie Gardens is planned for a mix of residential and commercial uses. To the northeast of the subject site and at the end of Kendall Drive is the proposed Kendall Town Center. The MU land use category, 1999F-002, (Ordinance 2000-374) was approved for rezoning to a 292 acre PUD (Ordinance 2003-1376) for 1,800 residential units, 120 assisted living units, 480,000 square feet of commercial space, and 360,000 square feet of office space. The site for this mixed use development had been cleared but was never constructed.

The application site lies within the Greater Arlington/Beaches Vision Plan Area. The plan identifies the area of the land use amendment site as adjacent to a designated mixed use area for development. Single-family development on the site will support the proposed nearby commercial development and therefore is suitable in meeting the needs of the Vision 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 will be located in a Community General Commercial (CGC) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. There is a companion application for Small Scale Land Use Amendment from CGC to LDR. The LDR land use category is generally defined as a category that provides for low density residential development. Single-family detached housing should be the predominant development typology in this category. Density, location and mix of uses shall be pursuant to the Development Areas as set forth in the 2030 Comprehensive Plan. The RLD-50 zoning district, would be for single family detached dwellings, and would be consistent with the surrounding zoning districts that are all contained within the LDR Land Use designation, and allow for up to 7 units per acre maximum density.

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:

Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

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.

Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

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.

Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

Policy 3.1.2 The City shall eliminate incompatible land uses or blighting influences from potentially stable, viable residential neighborhoods through active code enforcement and other regulatory measures.

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

No. The proposed change in Zoning District is consistent with the Low Density Residential future land use category as defined in the Future Land Use Element of the 2030 Comprehensive Plan. The LDR category allows for densities of up to 7 units per acre, with full urban services, as this site will be able to utilize. The recommended zoning designation of RLD-50 would provide a consistent density with the LDR land use category.

SURROUNDING LAND USE AND ZONING

The subject property is located on Mt. Pleasant Road and Gately Road. The surrounding uses, land use category and zoning are as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	RPI	RLD-60/ PUD (2015-064-E)	Single-family Single-family
East	MU	PUD (2013-1376-E)	Proposed single-family
South	CGC	PUD (2015-064-E)	Proposed mixed use
West	CGC	CO	Undeveloped

North of the subject site and north of Libby Road South are vacant land, a mobile home single family homes and the Mill Creek single-family subdivision in the Residential-Professional-Institutional (RPI) and Medium Density residential (MDR) land use categories and Residential Low Density-60 (RLD-60) and PUD zoning districts. East of the land use amendment site and east of Kendall Drive are vacant commercial land and the Southside Connector Interchange in a CGC and Mixed Use (MU) land use categories and a PUD and CCG-1 zoning districts. South of the application site is vacant land in a CGC land use category and PUD zoning district. The PUD zoning district was approved for a mix of multi-family and commercial development

(Ordinances 2015-064). Further south and south of Regency Square Boulevard North are medical offices, a private school, vacant land and a storm water retention lake in a CGC land use category and CCG-1 zoning district. West of the subject site and west of Mill Creek Road is vacant commercial land in a CGC land use category and Commercial Office (CO) zoning district.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on the required Notice of Public Hearing sign was posted on January 8, 2016.



Source: City of Jacksonville Planning and Development Department

Date: January 8, 2016

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2015-847** be **APPROVED**.



Property is undeveloped, view from Kendall Drive.

*Source: City of Jacksonville Planning and Development Department
Date: January 8, 2016*



Mill Creek subdivision to the north.

*Source: City of Jacksonville Planning and Development Department
Date: January 8, 2016*



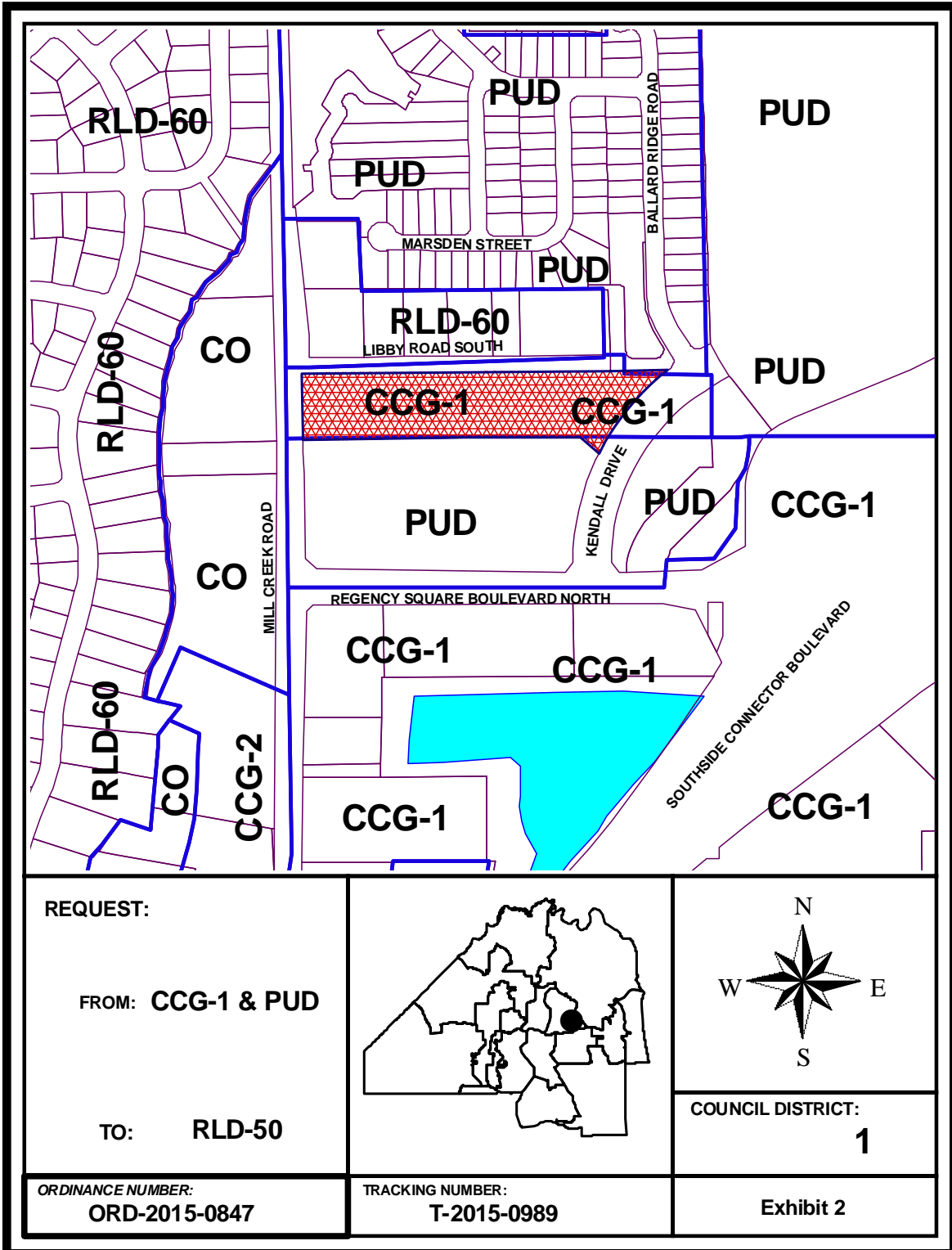
Undeveloped PUD 2003-1376-E to the east.

*Source: City of Jacksonville Planning and Development Department
Date: January 8, 2016*



Western boundary of the property, view from Mill Creek Road.

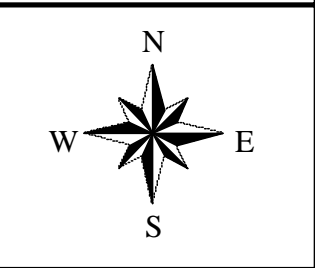
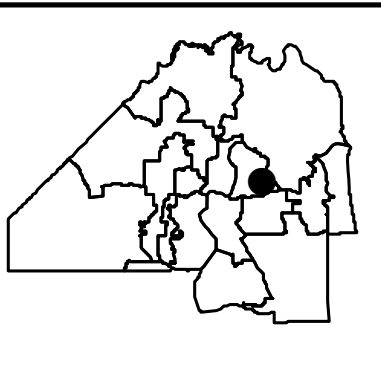
*Source: City of Jacksonville Planning and Development Department
Date: January 8, 2016*



REQUEST:

 FROM: CCG-1 & PUD

 TO: RLD-50



COUNCIL DISTRICT:
 1

ORDINANCE NUMBER:
 ORD-2015-0847

TRACKING NUMBER:
 T-2015-0989

Exhibit 2