

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2016-0641

OCTOBER 20, 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 **2016-0641**.

Location: 3541 Eveross Road,
between Eveross Road and Fort Caroline Road

Real Estate Numbers: 112930-0000, 112929-0100, and 112931-0000

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

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: Arlington/Beaches, District 2

Planning Commissioner: Chris Hagan, Chair

City Council District: The Honorable Joyce Morgan, District 1

Owner: Adam Tormollan
Haven Properties and Development, LLC
2515 Cedar Trace West
Jacksonville, FL 32246

Agent: Sharon Copeland
Daniel M. Copeland, Attorney at Law, P.A.
9310 Old Kings Road South, Suite 1501
Jacksonville, FL 32257

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2016-0641** seeks to rezone 2.20 acres of land from Rural Residential-Acre (RR-Acre) to Residential Low Density (RLD-60) for the purpose of creating a residential subdivision. The site is located southeast of the intersection of Eveross Road, a local

road, and Ft. Caroline Road, which is classified as a three-lane undivided class I collector roadway. Based on a transportation review of this application, the segment of Ft. Caroline Road in the vicinity of the subject site currently has sufficient capacity to accommodate the traffic generated by the proposed development. There are several residential subdivisions located along this portion of Ft. Caroline Road, and generally the area surrounding the subject site is primarily residential, with a variety of residential zoning districts from RR-Acre to Residential Medium Density-A (RMD-A). The property across Eveross Road from the subject site is owned and occupied by a church; Eveross Road dead-ends just past the subject site, into property also owned by the church. The subject site currently consists of two (2) single-family lots. The site is located in the Low Density Residential (LDR) functional land use category of the *2030 Comprehensive Plan* and is located in the Urban Area. The maximum gross density for this land use category within the Urban Area shall be seven (7) units per acre when full urban services are available to the site. Based on the JEA availability letter, dated September 12, 2016, provided by the applicant, the site is served by public water and sewer.

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 (FLUMs) of the Future Land Use Element (FLUE); (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 to Zoning Code or rezoning of land*, the Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category according to the FLUMs adopted as part of the *2030 Comprehensive Plan*. The LDR land use category within the Urban Area is intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. The proposed use is permitted in LDR land use category as a primary use. Therefore, the proposed use is consistent with the current land use designation of the subject property.

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 objectives and policies of the FLUE of the *2030 Comprehensive Plan*:

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.

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.

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

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.

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 subject property has access to full urban services, including mass transit; is located in the Urban Development Area of the City; and is contiguous with developed properties along Ft. Caroline Road, a collector roadway. As such, the proposed rezoning is consistent with FLUE Objective 1.1 and Policy 1.1.22. The proposed subdivision will use central water and sewer. The rezoning application includes a JEA service availability letter for the subject site regarding electric, potable water, and sanitary sewer services

meeting the needs of FLUE Policy 1.2.9. The proposed rezoning essentially seeks to increase the density on parcels already designated suitable for single-family uses. Both the use and the density would be compatible and consistent with adjacent uses and densities. Therefore, the proposed rezoning is consistent with FLUE Objectives 3.1 and 6.3. Further, because the proposed rezoning is from one residential district to another and is consistent with other districts in the vicinity, the proposed rezoning maintains the existing residential character consistent with Objective 3.1.

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

No. The proposed rezoning to RLD-60 is not in conflict with any portion of the City's land use regulations. Any subdivision of the subject property will need to comply with the minimum lot requirements of the RLD-60 Zoning District as set forth in Section 656.305 of the Zoning Code, and the subdivision will be developed in accordance with Chapter 654, Code of Subdivision Regulations, as applicable.

SURROUNDING LAND USE AND ZONING

The surrounding land use categories, zoning districts, and uses are as follows:

| Adjacent Property | Land Use Category | Zoning District | Current Use(s) |
|--------------------------|--------------------------|------------------------|------------------------|
| North | LDR | RR-Acre | Single family |
| East | LDR | RR-Acre | Single family |
| South | LDR | RR-Acre/RLD-60 | Church / Single family |
| West | LDR | RR-Acre | Church |

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on September 29, 2016, the required Notice of Public Hearing signs had not yet been posted. The applicant posted signs on October 1, 2016 and provided photographs to the Department.



*Source: Applicant
Date: October 3, 2016*

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2016-0641** be **APPROVED**.



Aerial

*Source: Staff, Planning and Development Department
Date: September 26, 2016*



Subject property

Source: Staff, Planning and Development Department

Date: September 29, 2016



View north on Eveross Road, subject property shown on the right

Source: Staff, Planning and Development Department

Date: September 29, 2016



View south on Eveross Road, subject property shown on the left

Source: Staff, Planning and Development Department

Date: September 29, 2016



View southeast on Ft. Caroline Road, subject property shown on the right

Source: Staff, Planning and Development Department

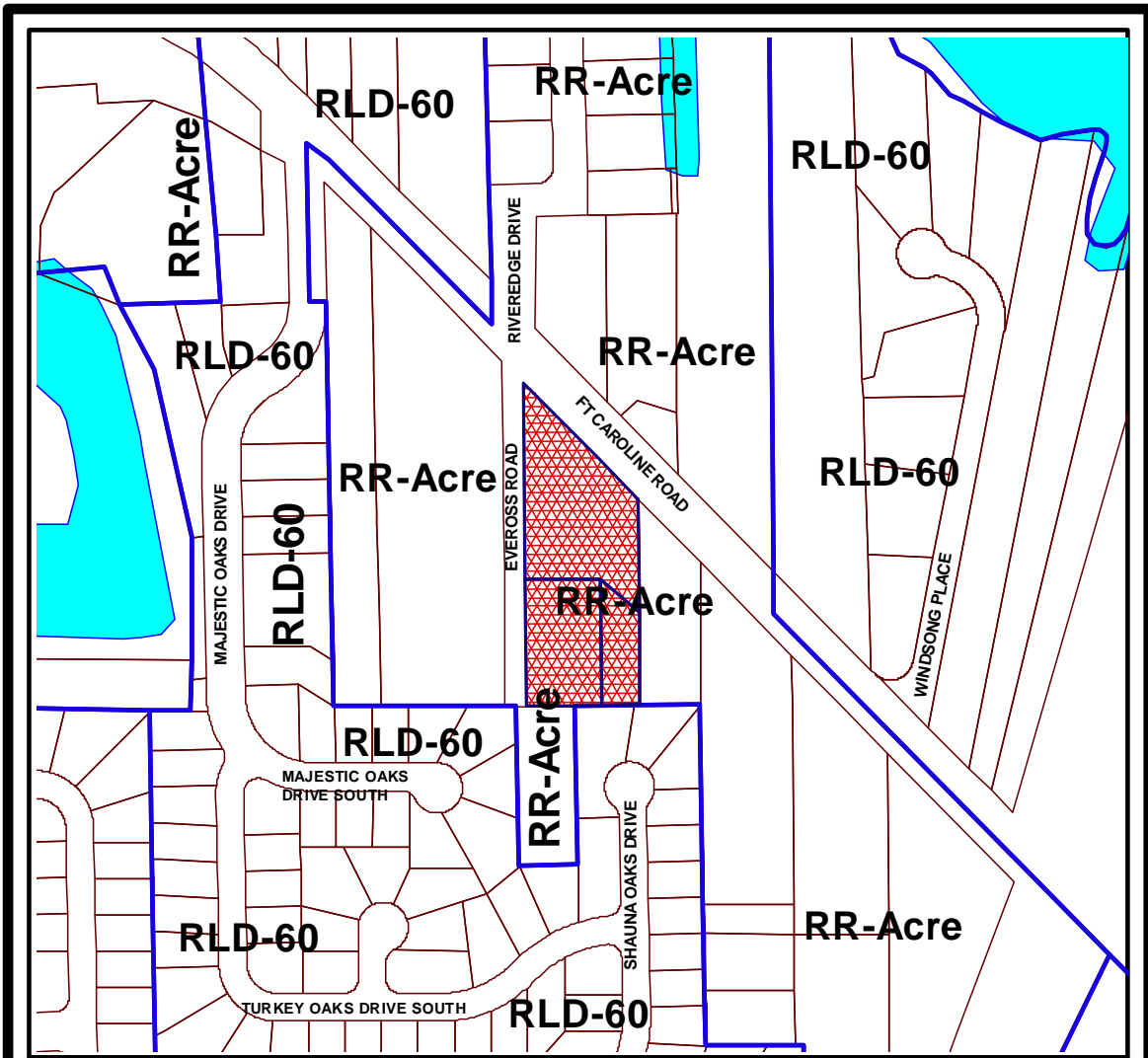
Date: September 29, 2016

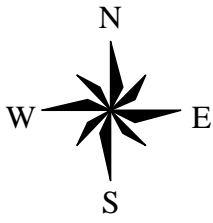
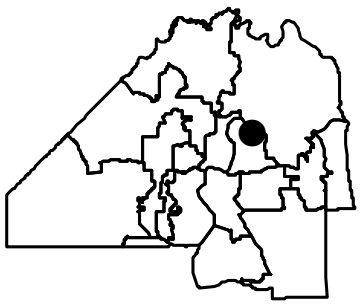


Church property across Eveross Road from the subject property

Source: Staff, Planning and Development Department

Date: September 29, 2016



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|---|--|---|
| REQUEST: | | |
| FROM: | RR-Acre |  |
| TO: | RLD-60 | |
| ORDINANCE NUMBER: ORD-2016-0641 |  TRACKING NUMBER: T-2016-1225 | COUNCIL DISTRICT: 01 Page 1 of 1 |