

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2018-0366**

**JULY 19, 2018**

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 **2018-0366**.

***Location:*** 0 Alvin Road S; South of Sandler Road and Alvin Road

***Real Estate Number:*** 015446-0000

***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:*** District 4—Southwest

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

***Owners:*** Ashley Collins  
Estate Options, LLC  
3840 Crown Point Road, Suite C  
Jacksonville, FL 32257

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2018-0366 (Z-1814)** seeks to rezone 9.98± acres of a property from Residential Rural-Acre (RR-Acre) to Residential Low Density-60 (RLD-60). The property is located in the Low Density Residential (LDR) land use category within the Suburban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought in order to allow for the development of a single-family subdivision.

Despite having frontage along Alvin Road S, the site will only have an ingress/egress point along Sandler Road (see **Figure A**) via **Conventional Rezoning, Z-1868**, which is another rezoning

filed by the applicant for the development of a single-family subdivision. Therefore, this application should be holistically reviewed in relation to the upcoming rezoning and the potential impact all three parcels will have on the Sandler Road corridor.

### **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 the subject property to be located in the 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.

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

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. Low Density Residential (LDR) in the Suburban Area is intended to provide for low-density residential development. The application site is located on Alvin Road, a local road. The applicant has provided a JEA Availability Letter indicating that the site has access to both centralized sewer and water. The maximum gross density for this site is seven (7) units/acre.

**The proposed zoning application should be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:**

Future Land Use Element

**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 1.2.9**

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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

**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 3.1.3**

Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

Recreation and Open Space Element

**Objective 2.2**

The City's Land Development Regulations, through the Subdivision Ordinances or other Ordinances, shall ensure the provision of open space by private enterprise.

**Policy 2.2.2**

The City shall require that all new single family and multi-family developments (residential developments) dedicate land for public parkland (active recreation parks) or provide monetary contribution to the appropriate department.

**Policy 2.2.4**

A residential subdivision development of 25 lots to 99 lots shall pay a recreation and open space fee of two-hundred-fifty (\$250) dollars per lot, or provide at least four hundred thirty-five (435) square feet of useable uplands for each lot (and any fraction thereof), to be dedicated as common area and set aside for active recreation. The City shall use recreation and open space fees collected pursuant to this subsection to improve, enhance, expand, or acquire recreation areas within the same Planning District in which the fees are paid.

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. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from RR-Acre to RLD-60 in order to permit the development of a single-family subdivision—all while adhering to local, state, and federal regulations governing wetlands.

However, the request for conventional rezoning cannot regulate other appropriate mitigation measures such as transitional buffering and landscaping requirements between land uses. There is also no mechanism for regulating noise, odor, vibration, and aesthetic controls.

**SURROUNDING LAND USE AND ZONING**

The subject property is located at the end Alvin Road S on the north side. Alvin Road is developed almost exclusively with single-family dwellings. Other properties are either undeveloped or contain estate-sized residences. The proposed rezoning to RLD-60 would render the lots to have a 60 foot width and 6,000 square foot area—which, in terms of density, would complement the abutting Trails at Bent Creek subdivision (**PUD 2002-0526**) to the north and east. Nonetheless, adjacent land uses and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	LDR	PUD 2002-0526	Single-Family Dwellings
East	LDR	RR-Acre	Vacant (Z-1868)
South	LDR	RR-Acre	Single-Family Dwelling
West	LDR	PUD 2002-0526	Single-Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-60 will be consistent and compatible with the surrounding uses.

**SUPPLEMENTARY INFORMATION**

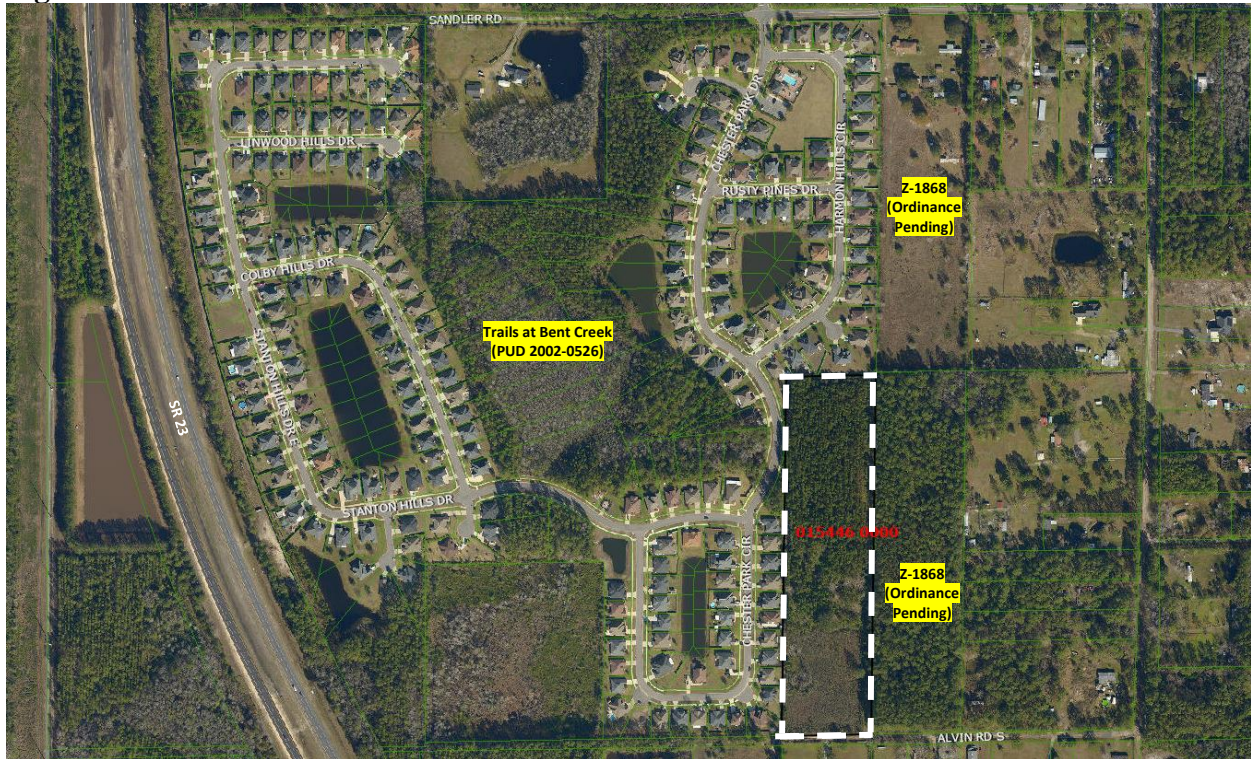
Upon visual inspection of the subject property on July 3, 2018 by the Planning and Development Department, the required Notice of Public Hearing signs **were** posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2018-0366** be **APPROVED**.

**Figure A:**



**Source: Planning & Development Dept, 6/15/18**

**Aerial view of the subject site and parcel, facing north.**

**Figure B:**



**Source: Planning & Development Dept, 7/3/18**

**View of the subject parcel facing north.**

**Figure C:**



**Source: Planning & Development Dept, 7/3/18**

**Neighboring single-family dwelling to the south of the subject site, facing south.**

