

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2018-0374**

**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 **2018-0374**.

***Location:*** 0 Los Santos Way

***Real Estate Numbers:*** 129230 0000

***Current Zoning District:*** Commercial Office (CO)

***Proposed Zoning District:*** Residential Medium Density-D (RMD-D)

***Current Land Use Category:*** Residential Professional Institutional (RPI)

***Planning District:*** Greater Arlington Beaches, District 2

***Applicant/Agent:*** David Adeeb  
5514 Windermere Drive  
Jacksonville, Florida 32211

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2018-0374** seeks to rezone the subject property from Commercial Office (CO) to Residential Medium Density-D (RMD-D). The subject site is located on the corner of Los Santos Way and Arco Drive just north of the Arlington Expressway, and is approximately .33 acres in size. The property is vacant, but is surrounded by a mixture of single- and multi-family housing; the applicant is seeking a rezoning to allow the property to be developed with a use more compatible with the surrounding area.

The proposed rezoning is also located within the Old Arlington NAP. The Old Arlington Neighborhood Action Plan (NAP) was completed in 2007. The Plan states that there is more than sufficient commercial acreage to meet the areas current and future needs. Community members expressed concern about the expansion of commercial uses that increase density and intensity of the commercial uses. “Intensification of commercial parcels adjacent to single-family residential uses may begin to erode the character of the area and have a detrimental affect on the viability of the residential uses over time.” Since the property is abutting residential uses, the rezoning is consistent with the NAP.

## **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 request is for a rezoning to Residential Medium Density from Commercial Office. Medium density residential uses and professional office uses are preferred in RPI land use category in the Suburban Development Area. The proposed rezoning is also consistent with the following policies, goals, and objectives of the 2030 Comprehensive Plan:

#### **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.

#### **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.

#### **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.

**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.

**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. The proposed rezoning to RMD-D promotes a pattern of compatible uses (i.e. single- or multi-family dwellings) consistent with the surrounding area and future development.

**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 & Development Department, the subject property will be rezoned from CRO to RMD-D Zoning District as set forth in Section 656.313 of the Zoning Code.

**SURROUNDING LAND USE AND ZONING**

The subject property is located on the south side of Los Santos Way, north of the Arlington Expressway. The surrounding uses, land use category and zoning are as follows:

| <b>Adjacent Property</b> | <b>Land Use Category</b> | <b>Zoning District</b> | <b>Current Use(s)</b>     |
|--------------------------|--------------------------|------------------------|---------------------------|
| North                    | RPI                      | RMD-D                  | Multi-family housing      |
| East                     | RPI                      | CRO                    | Duval County Health Dept. |
| South                    | RPI                      | CO                     | Multi-family housing      |
| West                     | LDR                      | RLD-90                 | Single Family Dwelling    |

Although the lots immediately south of the subject site along Arco Drive share its current zoning of CO, both are developed with existing apartment buildings. To the east of the subject site along Los Santos Way is a large subdivision developed with single-family homes. The proposed rezoning would permit a mixture of uses that would be more compatible with these residential properties than the current zoning allows.

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on March 8, 2018, 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 **2018-0374** be **APPROVED**.





Aerial





**Subject parcel, facing south from Los Santos Way**



**Adjacent multi-family residential building, south of the subject site**





**Adjacent multi-family residential, north of subject site across Los Santos Way**



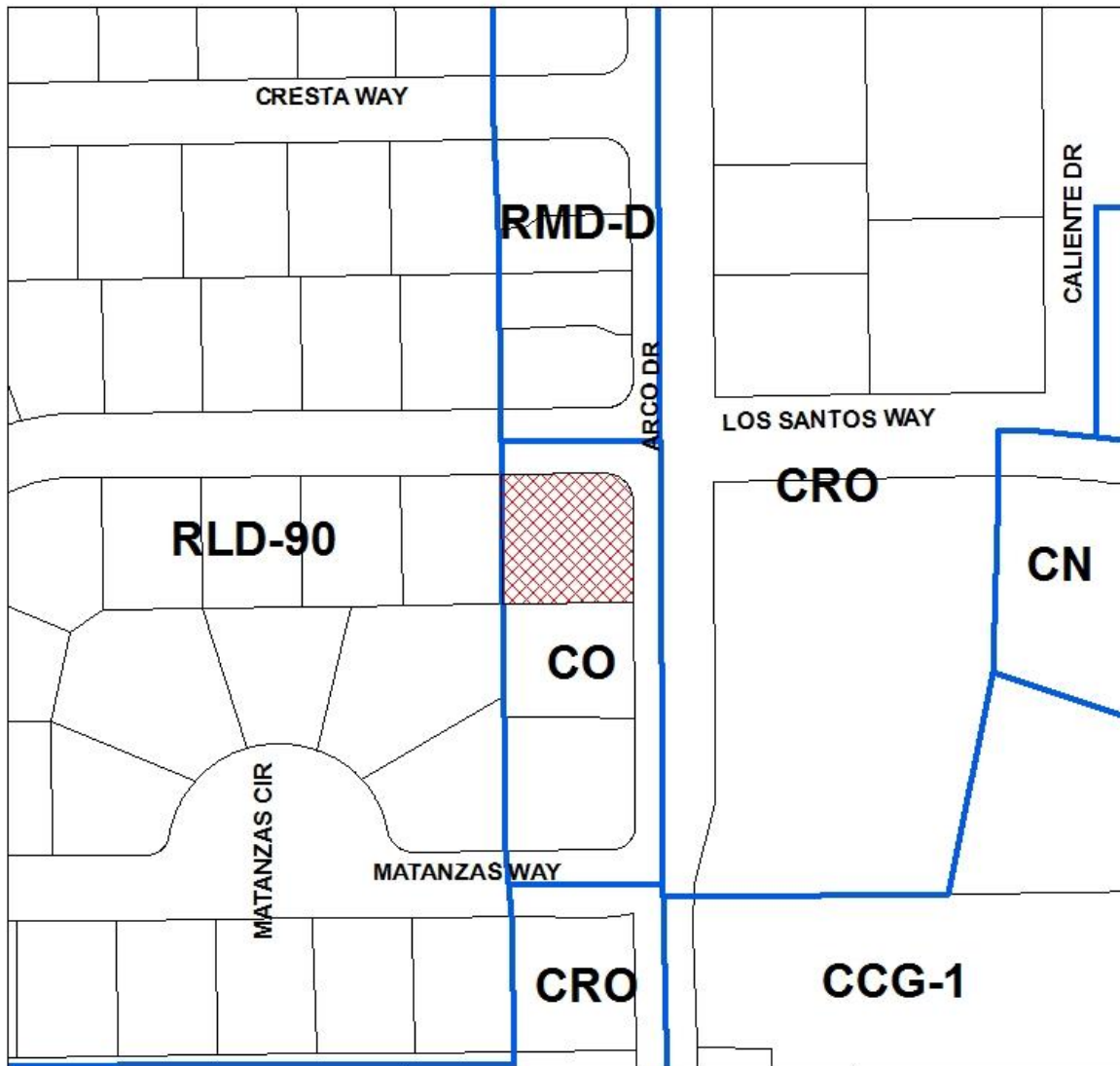
**View west down Los Santos way from the subject site, showing nearby single-family neighborhood**





**Office building east of subject site, across Arco Drive**

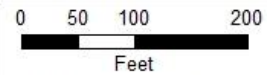
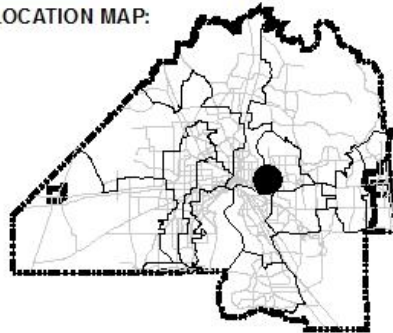




REQUEST SOUGHT:

FROM: CO  
TO: RMD-D

LOCATION MAP:



COUNCIL DISTRICT:

1

TRACKING NUMBER

T-2018-1750

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