

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2018-0758**

**DECEMBER 6, 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 **2018-0758**.

***Location:*** 0, 2035, 2057, 2091, Sallas Lane; between Dutton Island Road West and Dead end

***Real Estate Numbers:*** 169414 0000; 169414 0050; 169490 0010; 169490 0050

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

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

***Current Land Use Category:*** Low Density Residential (LDR)

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

***Applicant/Agent:*** Hipps Group Inc  
Lara Hipps  
1650 Margaret Street #323  
Jacksonville, Florida 32204

***Owner:*** Starfish Group Properties Inc.  
Andy Cromer  
11628 Aspen Creek Drive  
Ft. Worth, Texas 76244

***Staff Recommendation:*** **APPROVE w/ recommendation for RLD-50**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2018-0758** seeks to rezone 4.42± acres from Residential Rural-Acre (RR-Acre) to Residential Low Density-40 (RLD-40) for the purpose of developing the properties with a single-family subdivision. The subject site has approximately 555 feet of frontage on Sallas Lane, a private road and approximately 315 feet of road frontage along Dutton Island Road West. The proposed development will be required to connect to Atlantic Beach utilities for central water and sewer to achieve the minimum lot sizes in the zoning district. The PUD to the west allows for lots between 50-55 feet wide. The other subdivision to the west is zoned RLD-60.

To the east properties are zoned RMD-A, which allows for a variety of residential dwellings but mainly used for single-family dwellings on minimum 40 feet wide lots. However, several of the single family homes along Alley Road appear to be on well and septic which require half an acre per dwelling. The lots with duplexes are on City water and sewer.

**Because of the zoning districts and an examination of the lot sizes surrounding the subject property the Planning & Development Department has recommended approval of RLD-50, instead of the requested RLD-40, to transition from the PUD containing 50-55 feet wide lots and the RLD-60 subdivision to the west and the RMD-A/B to the east.**

### **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 site subject to the rezoning is located in the LDR land use category within the Suburban Development Area as identified on the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the *2030 Comprehensive Plan*. Single-family dwelling units are the predominant use in this category. The LDR category permits housing densities of up to seven (7) dwelling units per acre when full urban services are available. Given this density and the acreage of the site subject to the rezoning, 30 dwelling units may be allowed provided full urban services are provided. The site is also located south of Naval Station Mayport; limitations related to the site's location in an airport environment zone are also detailed below.

The property is completely surrounded by LDR land use. The requested RLD-40 rezoning is consistent with the LDR Land Use Category description however the Department believes that RLD-50 is more consistent with the surrounding Zoning Districts, providing a transition from the RLD-60 subdivision and the PUD 1994-318, which allows for 50-55 ft wide lots, to the west to the RMD-A/B lots to the east. The rezoning should demonstrate full consistency with the other identified Policies as described above in order to be deemed consistent with the general intent of the 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. The proposed rezoning to RLD-40 promotes a pattern of compatible uses (*i.e.* single family dwellings) consistent with the surrounding area and future development. However the lot size is not consistent with the surrounding zoning districts. Therefore, the proposed rezoning to RLD-50, as recommended by Staff, will allow the property to be developed in a lot pattern that is a good transition for the surrounding area.

**Future Land Use Element**

**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.

The proposed development will be required to connect to Atlantic Beach utilities for central water and sewer to achieve the minimum lot sizes in the zoning district. Otherwise, the lots will have to comply with standard set forth in the *2030 Comprehensive Plan*.

If approved, compliance with the *2030 Comprehensive Plan* for site plan requirements would be reviewed during 10-set.

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 RR-Acre to RLD-50 Zoning District as set forth in Section 656.313 of the Zoning Code.

**SURROUNDING LAND USE AND ZONING**

The subject properties are located on the north side of Dutton Island Road West, east of Sallas Lane. 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	LDR	RR-Acre	Single Family Dwelling
East	MDR	RMD-A	Single Family Dwellings
South			City of Atlantic Beach
West	LDR	RR-Acre; RLD-100A; RLD-60	Single Family Dwelling and subdivision

Single Family subdivisions off Dutton Island Road West in the City of Jacksonville of the subject property include PUD (required 50-55 feet wide lots), RLD-60, RMD-A, and RMD-B Zoning Districts. There are no RLD-40 lots in the immediate area, which makes the request for RLD-40 inconsistent with the surrounding area and does not provide for a transition from RLD-60 to RMD. Staff recommends that the application be approved for RLD-50. Approval of this rezoning to RLD-50 would provide for the development of a transitional lot size subdivision.

### **SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on November 28, 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 2018-758 be **APPROVED** for **RLD-50**.



Aerial





**Subject Properties**

*Source: City of Jacksonville, Planning & Development Department Date: November 28, 2018*



**Existing Sallas Lane**

*Source: City of Jacksonville, Planning & Development Department Date: November 28, 2018*



**Property to the north: Single Family Dwelling (2091 Sallas Lane)**

*Source: City of Jacksonville, Planning & Development Department Date: November 28, 2018*



**Property to the south: Duplex (Mary St, Atlantic Beach, FL)**

*Source: City of Jacksonville, Planning & Development Department Date: November 28, 2018*







**Property to the west: Single Family Subdivision (Paradise Oaks Ct)**

*Source: City of Jacksonville, Planning & Development Department Date: November 28, 2018*



**Property to the east: Single Family Dwelling (2028 Mealy Lane)**

*Source: City of Jacksonville, Planning & Development Department Date: November 28, 2018k*

