

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO**APPLICATION FOR REZONING ORDINANCE 2019-0078****MARCH 7, 2019**

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 **2019-0078**.

Location: 1306 Lake Shore Boulevard; 1314 Lake Shore Boulevard; 1318 Lake Shore Boulevard; 1309 Mull Street

Real Estate Number: 066821-0000; 066822-0000; 066820-0000; 066819-0000

Current Zoning District: Planned Unit Development (PUD: 2006-0221)

Proposed Zoning District: Residential Medium Density-A (RMD-A)

Current Land Use Category: Medium Residential Density (MDR)

Planning District: District 4—Southwest

Applicant/Agent: Zach Miller. Esq.
501 Riverside Ave. Suite 901
Jacksonville, Florida 32202

Owner: Christian Allen
Breeze Homes, LLC.
1538 Hendricks Ave. #2
Jacksonville, FL 32207

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0078** seeks to rezone 1.16± acres of a property from Planned Unit Development (PUD: 2016-0221) to Residential Medium Density-A (RMD-A). The property is located in the Medium Density Residential (MDR) land use category within the Urban Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought in order to allow for single-family residential dwellings consistent with the RMD-A zoning district.

The current PUD: **2006-0221** will allow for the construction of nine (9) townhomes on nine (9) subdivided lots for a total of 18 residential units. The surrounding area is constructed of majority single-family dwellings and the rezoning request for RMD-A allows the developer to construct single family homes on the subject properties rather than several multi-family dwellings according to the current PUD.

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 Medium Density Residential (MDR) 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. MDR in the Urban Development Area is intended to provide compact medium density residential development. Principal uses include, but are not limited to, multi-family dwellings and single-family dwellings when the predominant surrounding development typology within the MDR category is single-family. The MDR category allows for a maximum gross density of 20 units per acre, which would result in 23 units for the subject site. Based on the JEA letter of availability submitted with the zoning application, city water and sewer services are available to the site.

Future Land Use Element

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.

The proposed rezoning of RMD-A will be compatible with other uses already existing within the surrounding area and will be in compliance with Policy 1.1.22.

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.

According to the JEA Availability letter provided by the applicant the site has both Potable Water Connection and Sewer Connection points. There is no reclaimed water connection in the area and therefore meets the requirements of Policy 1.2.9.

Policy 1.3.7

Access for corner lots or parcels shall be located the greatest distance from the corner commensurate with property dimensions. For roadways having a functional classification of collector or higher, access shall not be less than 150 feet from the geometric centerline of intersecting roadways, 100 feet from the outside through lane, or commensurate with property dimensions, where the lot frontage is insufficient to meet these requirements, subject to the approval of the Traffic Engineering Division and JPDD.

Property located at 1306 Lake Shore Boulevard is considered a corner lot located at the corner of Woodcrest Road and Lake Shore Boulevard. Lake Shore Boulevard is classified as a Collector on the Functional Highway classification chart and therefore the subject property would need to meet the requirements of Policy 1.3.7 for development.

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.

The subject properties are located between Mull Street and Lake Shore Boulevard surrounded by Zoning District RMD-A to the North, West, and South property lines

and RLD-60 to the East. The surrounding area is made up of primarily Single-Family Dwellings and approval of the rezoning would allow for this development characteristic to continue within the area.

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.

The subject property is surrounded by Zoning Districts RMD-A and RLD-60. The current PUD: 2006-0221 would allow for the construction of nine (9) multi-family dwellings consisting of 18 units. Approval of the rezoning back to its original Zoning District of RMD-A would preserve the single-family residential neighborhood character of the area.

Policy 3.1.6

The City shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

The approval of this rezoning would allow for the construction of multiple single-family homes and meet the housing needs of the area.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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 is currently a vacant piece of land that has yet to be utilized and approval of this Rezoning would allow the developers to develop the property with uses that are similar in nature to the existing neighboring properties. Therefore Objective 6.3 would be accomplished by encouraging new development on vacant land within an area already thriving as an already existing Low Density to Medium Density Residential area.

Recreation and Open Space Element:

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.

Once the applicant is granted approval for the rezoning and land-use amendment developer will need to comply with Policy 2.2.2 by providing active recreation parks or monetary contribution to the appropriate departments in order to be in compliance with the 2030 Comprehensive Plan.

Airport Environment Zone:

The site is located within the 300 foot Height and Hazard Zone for Herlong Airport and the 500 foot Height and Hazard Zone for Naval Air Station Jacksonville (NAS Jax). Zoning will limit development to a maximum height of less than 300 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Objective 2.5

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Flood Zones

Approximately 0.60 of an acre of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard flood zone. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm of Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The 0.2 PCT Annual Chance Flood Hazard flood zone is defined as an area within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Conservation Coastal Management Element (CCME):

Policy 1.4.4

The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

Policy 2.7.1

The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

Policy 2.7.3

The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by:

- A. Land acquisition or conservation easement acquisition;
- B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and
- C. Incentives, including tax benefits and transfer of development rights.

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 PUD: 2016-0221 to RMD-A in order to permit the development of single-family dwellings.

SURROUNDING LAND USE AND ZONING

The subject site is located at the southwest corner of the intersection of Woodcrest Road and Lake Shore Boulevard. According to the Future Land Use Element (FLUE), MDR in the Urban Development Area is intended to provide compact medium density residential development. Principal uses include, but are not limited to, multi-family dwellings and single-family dwellings when the predominant surrounding development typology within the MDR category is single-family.

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	MDR	RMD-A	Multi-Family Dwelling
East	LDR	RLD-60	Single-Family Dwellings
South	MDR	RMD-A	Single-Family Dwellings
West	MDR	RMD-A	Single-Family Dwellings

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

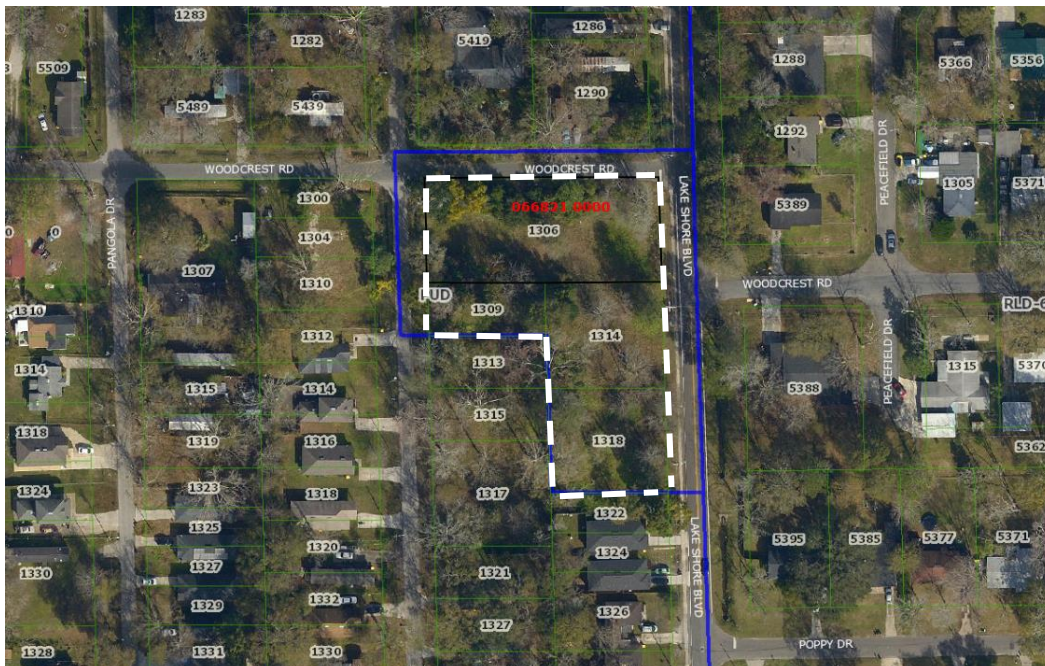
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on February 4, 2019 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 **2019-0078** be **APPROVED**.



Arial View

Source: JaxGIS Map



Subject Site

Source: Planning & Development Department 02/04/2019



View of Property along Woodcrest Road

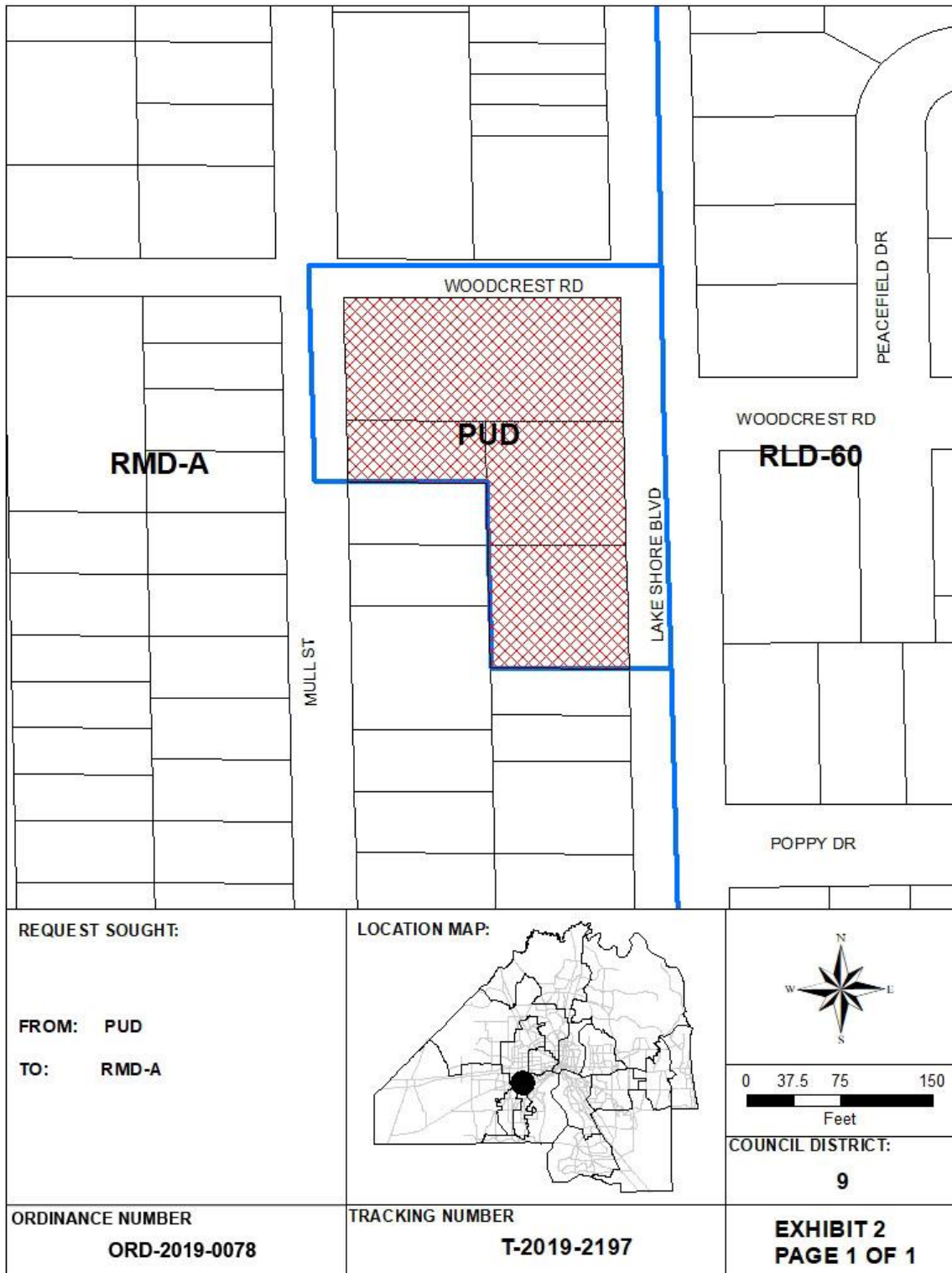
Source: Planning & Development Department 02/04/2019



Properties to the West: Single Family Dwellings
Source: Planning & Development Department 02/04/2019



Properties to the South: Single Family Dwellings
Source: Planning & Development Department 02/04/2019



Legal Map
Source: JaxGIS Map