

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

**APPLICATION FOR REZONING ORDINANCE 2019-0039**

**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 **2019-0081**.

***Location:*** 8835 Hipps Road

***Real Estate Number:*** 015669 0000

***Current Zoning District:*** Residential Low Density-60 (RLD-60)

***Proposed Zoning District:*** Residential Low Density-50 (RLD-50)

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

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

***Owners:*** Corner Lot Development Group  
3721 Dupont Station Court South  
Jacksonville, Florida 32217

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2019-0081** seeks to rezone 5± acres of property from Residential Low Density-60 (RLD-60) to Residential Low Density-50 (RLD-50). 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 increase the allowed density for a single-family home subdivision.

Currently, the property is vacant wooded land, while the surrounding area has been developed primarily single-family housing.

**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 subject site is located on the north side of Hipps Road between Paul Howard Drive and Camfield Street. According to the Future Land Use Element (FLUE), LDR in the Suburban Development Area is intended to provide low density residential development. Principal uses include, but are not limited to single family and multi-family dwellings. The LDR category allows for a maximum gross density of 7 units per acre, which would result in a maximum of 34 units for the 4.92 acre subject site. According to the JEA letter of availability submitted with the zoning application, city water and sewer services are available for the site.

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

Yes. The proposed rezoning furthers the following goals, objectives, and policies of the 2030 Comprehensive Plan:

**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.

Per the attached JEA service availability letter dated August 22, 2018, the property is served by centralized water and sewer systems, and the proposed rezoning is therefore compatible with this policy.

**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 proposed rezoning will increase the density of housing in the area, which will assist in the creation of a more efficient transportation network while protecting the character of the surrounding neighborhood. It is therefore compatible with this goal.

**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 proposed rezoning will increase the viability of an existing residential parcel, provide more affordable housing opportunity, and meet all applicable requirements of the Suburban Development Area while, and is therefore compatible with this objective.

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

No. The proposed rezoning will not be in conflict with any portion of the City's land use regulations.

**SURROUNDING LAND USE AND ZONING**

The subject property is located on the north side of Hipps Road. Directly across Hipps Road to the south is an existing non-conforming gas station and convenience store. Other than that, the surrounding area largely consists of single-family residential development at a variety of densities.

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	LDR	RLD-60	Vacant
East	LDR	RLD-60	Single-family homes
South	LDR	RLD-100B	Convenience Store
West	LDR	RLD-60	Single-family homes

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on February 21, 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 **2019-0081** be **APPROVED**.



**Aerial**



**Subject site current state, facing north across Hipps Road**



**Eastern adjacent single-family development**



**Non-conforming convenience store, south across Hipps Road from subject site**

