

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**APPLICATION FOR REZONING ORDINANCE 2019-0237****MAY 9, 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 **2019-0237**.

Location: 0 Century 21 Drive

Real Estate Number: 145173-0100

Current Zoning District: Planned Unit Development (PUD)

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

Current Land Use Category: Medium Density Residential (MDR)

Planning District: District 2—Greater Arlington/Beaches

Applicant: Wyman R. Duggan, Esq.
Rogers Towers
1301 Riverplace Blvd. Suite 1500
Jacksonville, FL 32207

Owner: Southern Impression Homes, LLC.
5711 Richard St. Suite 1
Jacksonville, FL 32216

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0237** seeks to rezone 0.65± acres of a property from Planned Unit Development (PUD: 1992-0694) to Residential Medium Density-C (RMD-C). 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 develop either single-family or multi-family residential.

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. The Residential Medium Density-C (RMD-C) Zoning District is a primary zoning district within the Medium Density Residential (MDR) functional land use category, and the subject property meets the primary criteria and standards. The application is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code.

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 Area is a category intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. The proposed application is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

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-C 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 maybe 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, it shows that the subject site will be supplied by Potable Water. Applicant will have to connect to city sewer in order to construct multi-family dwelling in order to comply with Policy 1.2.9.

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 including PUDs and RMD. The current PUD: 1992-0694 included the subject property but left it as a vacant piece of land and unless the property is rezoned it will continue to be underutilized. Approval of this rezoning will allow the property to be developed for multi-family residential and therefore will continue to designate this land for residential uses.

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 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 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.

Infrastructure Element, Sanitary Sewer Sub-element:

Policy 1.2.6

Within the Suburban Boundary Map as defined in the Future Land Use and Capital Improvements Elements, new septic tanks will be forbidden pursuant to the Septic Environmental Protection Board – Rule 3; however, they may be permitted as interim facilities, provided the following requirements are satisfied:

1. Single family/commercial (estimated flows of 600 gpd or less):
 - a. Requirements of Chapter 64E-6, Florida Administrative Code (F.A.C.) are accommodated.
 - b. The collection system of a regional utility company is not available through gravity service via a facility within a right-of-way or easement which abuts the property.
2. Commercial (above 600 gpd)
 - a. Requirements of Chapter 64E-6, F.A.C. are accommodated.
 - b. The collection system of a regional utility company is not within 50 feet of the property.
3. Subdivision (commercial or single family):
 - a. Requirements of Chapter 64E-6, F.A.C. are accommodated.
 - b. The collection system of a regional utility company is greater than 1/4 mile from the proposed subdivision.
 - c. Each lot is a minimum of 1 acre unsubmerged property.
 - d. Alternative (mounded) systems are not required.

SURROUNDING LAND USE AND ZONING

The subject site is located along Century 21 Drive, a local roadway, between Woods Avenue and Century Point Drive North. It is also located within the Urban Development Area, Planning District 2 and Council District 4. According to the Future Land Use Element (FLUE) MDR in the Urban Area is intended to provide compact medium density residential development. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	RMD-D	MDR	Multi-Family
East	RMD-D	MDR	Multi-Family
South	PUD	MDR	Single Family
West	PUD	MDR	Multi-Family

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **April 18, 2019** by the Planning and Development Department, the required Notice of Public Hearing signs **was** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2019-0237** be **APPROVED**.



Aerial View

Source: JaxGIS Map



Subject Site

Source: Planning & Development Department 04/18/2019



View of Property to the West

Source: Planning & Development Department 04/18/2019



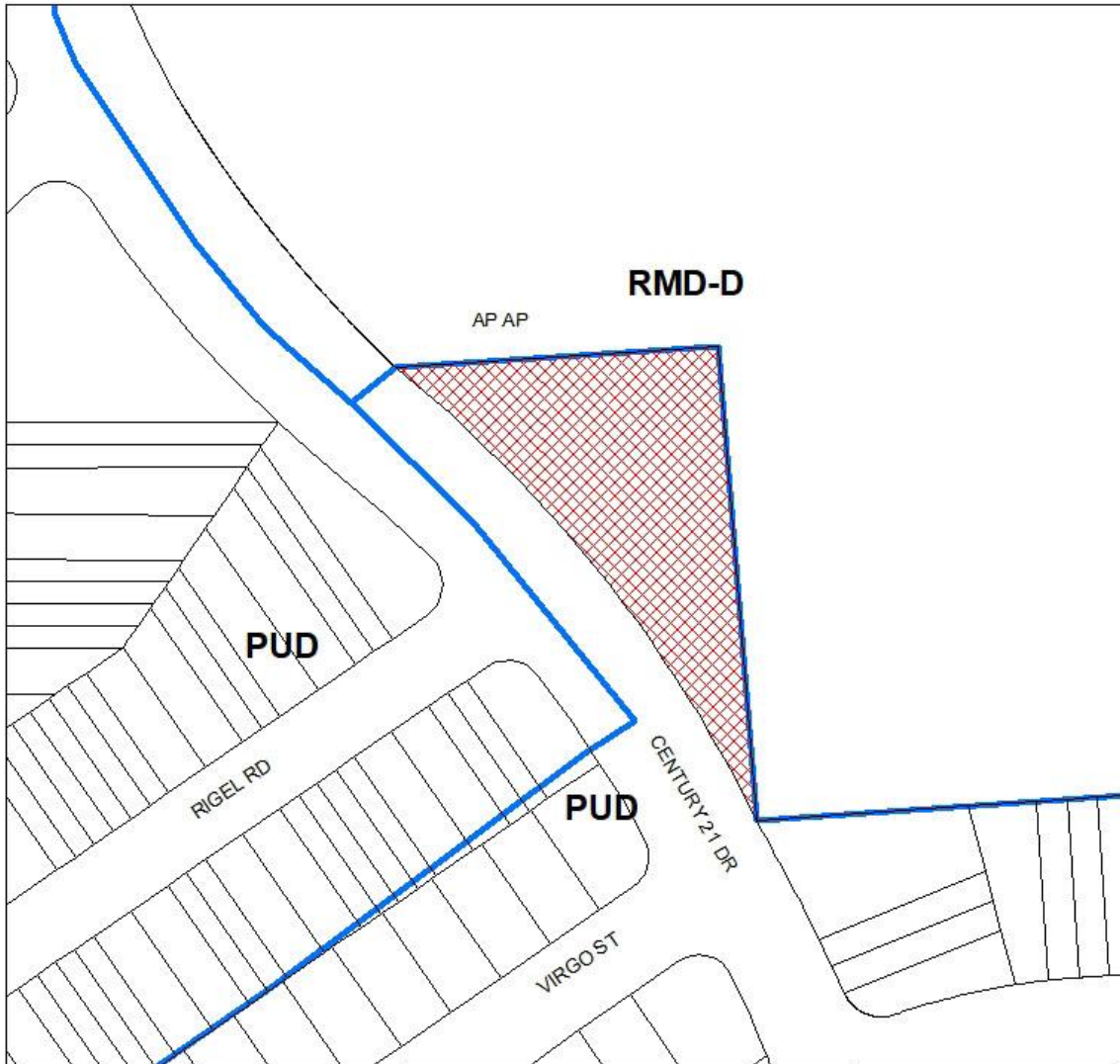
View of Property to the South

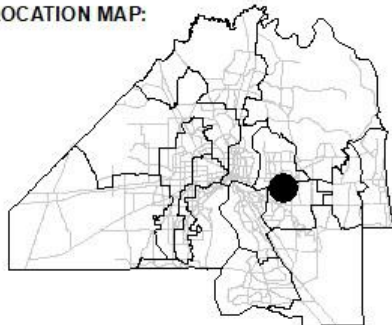

Source: Planning & Development Department 04/18/2019



View of Property to the North and West

Source: Planning & Development Department 04/18/2019



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: RMD-C</p>	<p>LOCATION MAP:</p> 	 <p>0 35 70 140</p> <p>Feet</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2019-0237</p>	<p>TRACKING NUMBER</p> <p>T-2019-2272</p>	<p>COUNCIL DISTRICT:</p> <p>4</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Legal Map
 Source: JaxGIS Map