

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2019-0313

JUNE 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 **2019-0313**.

Location: 8145 Ocala Avenue
Between Cahoon Road North and Wasson Avenue.

Real Estate Number: 006077-0000; 006077-0100; 004852-0500;
004852-0300; 004797-1000

Current Zoning District: Residential Rural Acre (RR-Acre)
Residential Low Density-60 (RLD-60)

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

Current Land Use Category: Low Density Residential (LDR)

Planning District: District 5—Northwest

Applicant/Agent: Wyman R. Duggan
Rogers Towers, P.A.
1301 Riverplace Blvd, Suite 1500
Jacksonville, Florida 32207

Owner: Horne Trust
736 Cahoon Road North.
Jacksonville, FL 32220

Staff Recommendation: **APPROVE with Recommendation of RLD-60**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0313** seeks to rezone 56.86± acres of a property from Residential Rural Acre (RR-Acre) and Residential Low Density-60 (RLD-60) to Residential Low Density-40 (RLD-40) for the development of a single family subdivision. The proposed development will be required to connect to both of the centralized services connection points indicated on the JEA Availability Letter dated January 3rd, 2019. The property is located in the

Low Density Residential (LDR) land use category within the Suburban Priority Area of the Future Land Use Element of the 2030 Comprehensive Plan.

The applicant has discussed with the Planning and Development Department that their intention is to provide homes that fit in with the character of the area and claim that the character of the area is made up of homes and lots built for first time home buyers in the mid to high one hundred thousand dollar range. The current lots were developed in the 60's and 70's on lot sizes generally in the 60 to 70 foot wide range, the applicant stated that to achieve the same price point in today's market the lots would need to be smaller and that is why they are seeking RLD-40.

Due to the surrounding Zoning Districts and the examination of the majority of the lots zoned RLD-60 in the area meeting or exceeding the requirements of their district the Planning and Development Department has recommended approval of RLD-60, instead of the RLD-40, as we believe the RLD-60 lot requirement's would better fit the overall character of the residential surrounding areas.

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. According to the Category Description within the Future Land Use Element (FLUE), LDR in the Suburban Development Area is intended to provide for low density residential development. 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, 398 dwelling units may be allowed provided full urban services are provided. The maximum gross density shall be four (4) units per acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available. Based on the JEA letter of availability submitted with the rezoning application and dated January 3, 2019, the nearest potable water connection is approximately 2,100

feet south of the subject site and the nearest sewer connection is within 0.25 of a mile of the subject site. If neither centralized water or sewer is provided, or if no centralized sewer is provided, the minimum lot size is ½ acre. If centralized sewer is provided, but centralized water is not, the minimum lot size is ¼ acre. In order to develop the site with the maximum allowable density in the LDR category (7 units/acre), the developer will need to connect to the centralized water and sewer services that are available. Wetlands and flood zones have been identified on site; additional analysis follows.

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. According to the Future Land Use Element (FLUE), LDR is designed for the controlled density of single family development.

Future Land Use Element

Policy 1.1.22

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 the JEA Availability dated January 3rd, 2019, there are connection points for both water and sewer located within one mile of the proposed subject site. To achieve the desired density and lot size the applicant will be required to connect to these services. The applicant has stated to the department that they have reached out to JEA and discussed bringing the services to the site and have agreed to do so.

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 residential subdivision will be an addition to an already established residential area that is established next to a heavy industrial use. The proposed neighborhood will also ensure that the currently vacant land does not get converted or added to the industrial uses that abut it on its western and northern boundaries.

Recreation and Open Space Element

Policy 2.2.3

A residential subdivision development of 100 lots or more shall provide at least one acre of useable uplands for every 100 lots (and any fraction thereof), or 5% of the total useable uplands area to be platted, whichever is less, to be dedicated as common area and set aside for active recreation. There may be up to two areas for each 100 lots, and the areas shall be a minimum of 0.5 acres in size, unless otherwise approved by the Planning and Development Department, or by the City Council as part of a Planned Unit Development Zoning District.

The proposed subdivision will be required to provide the proper amount of open space per policy 2.2.3.

Airport Environment Zone

The site is located within the 300 foot Height and Hazard Zone for OLF Whitehouse. 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). See Objective 2.5 of the Future Land Use Element below:

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.

Wetlands: Potential wetlands have been observed on the subject site, more information on these wetlands can be found on the Memorandum from the Land Use Division Dated May 23, 2019.

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 in order to provide a greater allowed density of residences than what is currently allowed under the RR-Acre Zoning District.

SURROUNDING LAND USE AND ZONING

The subject site is located on the north side of Ocala Avenue, between Bulls Bay Highway and Pickettville Road. It is also located within the Suburban Development Area, Planning District 5 and Council District 10. The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LI/LDR/CSV	IL/RR-Acre/CSV	Open Storage/Timber/Wetland
East	CSV	CSV	Vacant Governmental
South	RLD	RLD-60	Single Family Residential
West	HI/LDR	IH/RR-Acre	Open Storage/ Single Family/Vacant

There are currently no other RLD-40 lots in the surrounding area, nor are there any RMD-A lots which also allows for single family development on 40 foot wide lots. Approval of this rezoning to RLD-60 would allow for the development of single family lots that the applicant is seeking, while adhering to the established lot sizes of the surrounding residential areas.

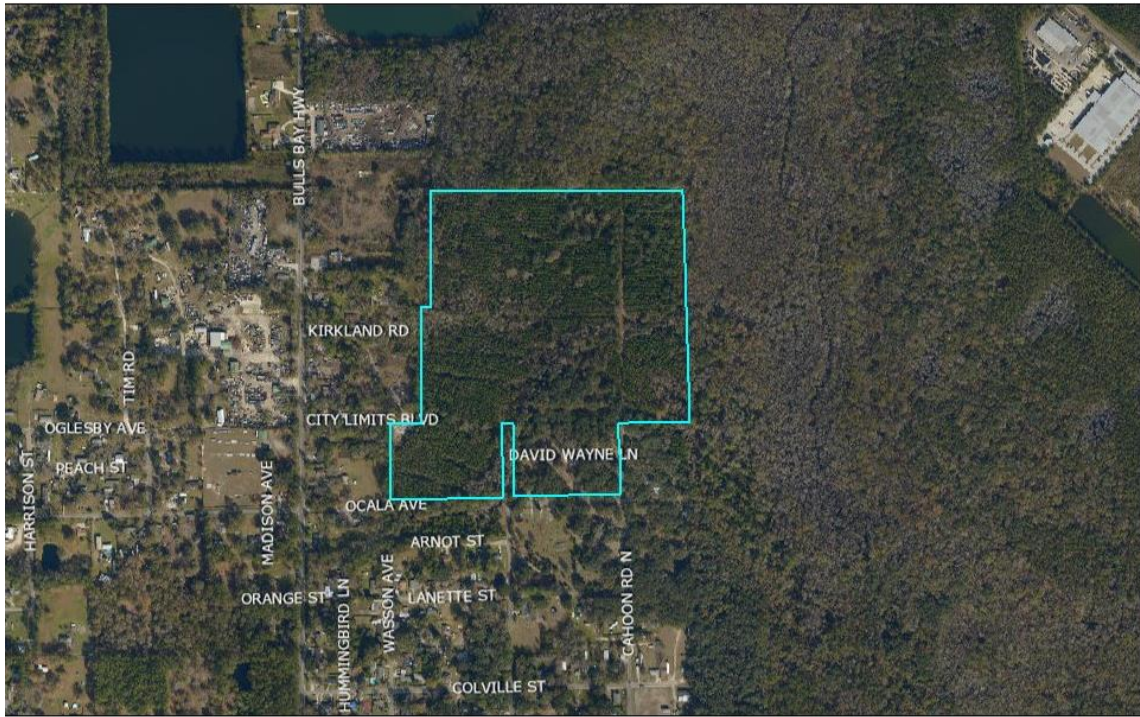
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on May 23, 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 **2019-0313** be **APPROVED with Recommendation to RLD-60.**



Aerial View

Source: JaxGIS Map
Date: May 23, 2019



View of the Subject Site

Source: Planning and Development Department
Date: May 23, 2019



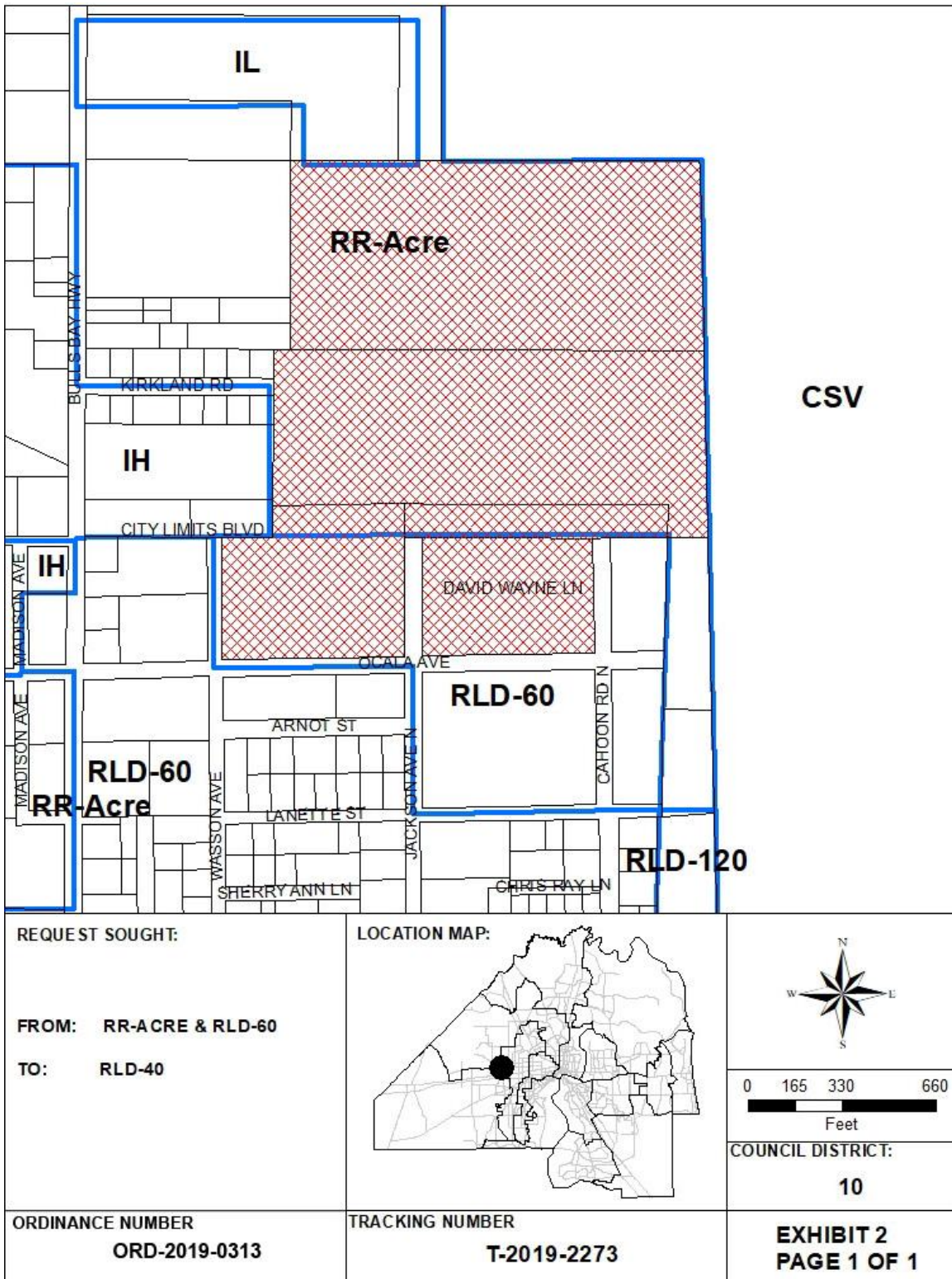
View of the Subject Site

Source: Planning and Development Department
Date: May 23, 2019



View of the neighboring vacant parcel across Ocala Avenue.

Source: Planning and Development Department
Date: May 23rd, 2019



Legal Map

Source: JaxGIS Map
 Date: May 28, 2019