

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2020-283

JULY 23, 2020

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 **2020-283**.

Location: East of Duval Place West between Duval Road and Ranch Road

Real Estate Numbers: 019373-0020, 019659-0000

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

Proposed Zoning District: Commercial Residential Office (CRO)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Residential Professional Institutional (RPI)

Planning District: North – District 6

Applicant/Agent: Paul M. Harden, Esq.
501 Riverside Avenue, Suite 901
Jacksonville, Florida 32202

Owner: Gary Palmer
Broward Duval, LLC
56 Marsh Creek Road
Amelia Island, Florida 32034

M.G. Higginbotham
Higginbotham Land Trust
46098 Grumpy Lane
Callahan, Florida 32011

Rebecca Sheets
P.O. Box 1985
Callahan, Florida 32011

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-283** seeks to rezone 13.79 acres of land from RLD-60 to the CRO. The parcel is undeveloped.

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 Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. However, there is a companion Application for Large-scale Land Use Amendment to the Future Land Use Map Series L-5393-19A (Ordinance 2020-282) that seeks to amend the portion of the site that is within the LDR land use category to RPI. Staff is recommending that Application for Large-scale Land Use Amendment to the Future Land Use Map Series L-5393-19A be approved. Therefore, the proposed rezoning 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?

Future Land Use Element

Objective 1.1 Ensure that the type, rate and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Policy 1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

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.

Policy 3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relied from the scale transition requirements.

Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

Policy 3.2.7 The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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 proposed CRO zoning integrates the area with a mix of office, light industrial and residential uses and would act as a transition between the existing residential land uses and the industrial land uses. The proposed amendment results in a compact and compatible land use pattern that promotes opportunities for interconnected land uses to reduce the need for trip generation and supports mobility options as called for in FLUE Objectives 1.1 and 3.2 as well as Policies 1.1.10 and 3.1.3.

As mentioned above, CRO promotes a compact and compatible land development pattern, while allowing for infill development on vacant, underutilized land. The proposed rezoning will promote development that is consistent with the character and trend of the area and, thereby meeting the requirements set forth in FLUE Objective 3.2, Objective 6.3 and Policy 3.2.7.

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

No. It is the opinion of the Planning and Development Department that the proposed rezoning does not conflict with any portion of the City's land use regulations. The proposed rezoning will act as a transition between the industrial uses to the east and the single family residential dwellings to the west.

SURROUNDING LAND USE AND ZONING

The subject property is located on Duval Place West with the surrounding uses, land use categories and zoning as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single family dwellings
East	LI	PUD (90-434)	Warehouses
South	LDR	RR-Acre	Single family dwellings
		RLD-60	Single family dwellings
West	LDR	RLD-60	Single family dwellings

The proposed rezoning to RMD-D will be consistent and compatible with the surrounding residential uses in the area. The site is located within the 150 foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of less than 150', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. The parcel is outside any noise contour of the airport.

The subject property is located within the "Industrial Situational Compatibility" Zone. The Zone identifies industrial lands that are strategically located for future industrial expansion and economic development. The site is not currently designated for industrial uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on June 29, 2020, the required Notice of Public Hearing sign was posted:



RECOMMENDATION

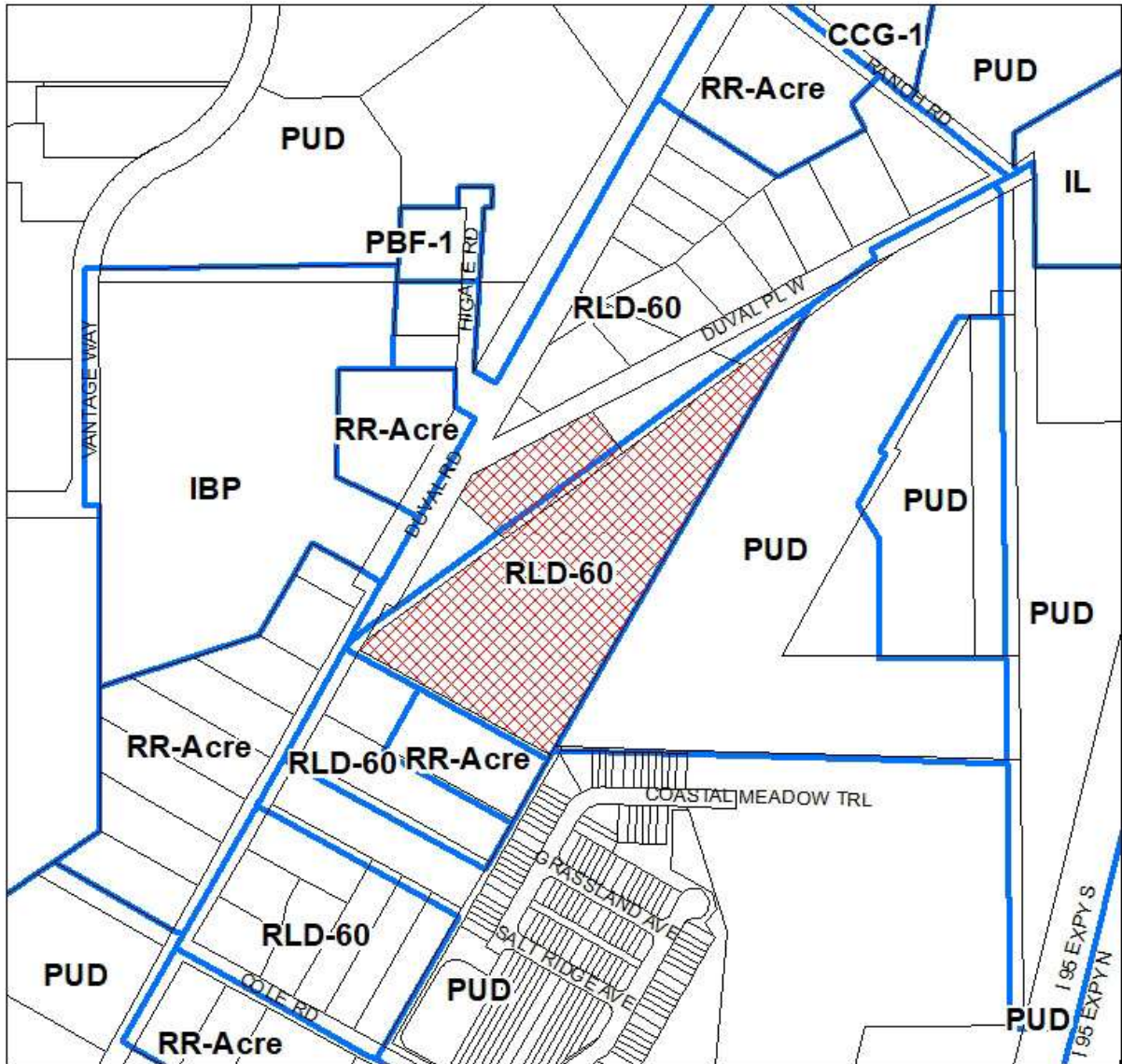
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2020-283** be **APPROVED**.

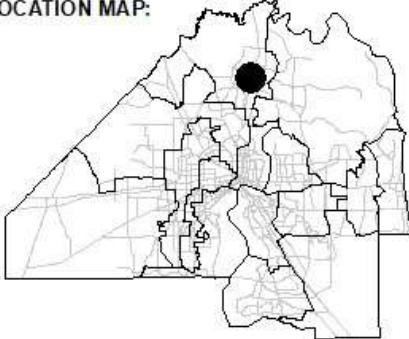
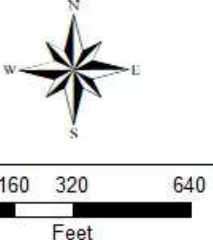


Aerial view of subject property



View along Duval Place West



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60</p> <p>TO: CRO</p>	<p>LOCATION MAP:</p> 	
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0283</p>	<p>TRACKING NUMBER</p> <p>T-2020-2707</p>	<p>COUNCIL DISTRICT:</p> <p>7</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>