

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2020-0165**

**April 9, 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 2019-0165.

***Location:*** 0 J Turner Butler Boulevard (SR 202)  
Between I-295 and J Turner Butler Boulevard

***Real Estate Number(s):*** 167747-0000; 167748-0000; 167755-0010;  
167757-0000; 167762-0010; 167763-0010;  
167778-0310; 167875-1000; 167876-0000;  
168162 0000

***Current Zoning District(s):*** Agriculture (AGR)

***Proposed Zoning District:*** RR-Acre (RR-Acre)

***Current Land Use Category:*** Agriculture-II (AGR-II)  
Agriculture-III (AGR-III)

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

***Planning District:*** Southeast, District 3

***Owner:*** Jed Davis  
Estuary, LLC  
4310 Pablo Oaks Court  
Jacksonville, Florida. 32224

***Applicant:*** Paul M. Harden  
Law Office of Paul M. Harden  
501 Riverside Avenue, Suite 901  
Jacksonville, Florida. 32202

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2020-0165** seeks to rezone approximately 2512.23 +/- acres of land from Agriculture (AGR) to Residential Rural- Acre (RR-Acre). The rezoning is being

sought to allow for the future development of the land. A companion Land Use Amendment **2020-0164** has been applied to change the existing Land Use of Agriculture II (AGR II) and Agriculture (III) to Low Density Residential (LDR).

### **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 2,512.23 acre subject property is located approximately 1.3 miles east of I-295, between J. Turner Butler Boulevard (SR-202) and Philips Highway (US-1). The undeveloped subject site has Agriculture-I (AGR-I), Agriculture-II (AGR-II), Agriculture-III (AGR-III) land use designations. The applicant is proposing a rezoning from AGR to RR-Acre to allow for future residential development. Single-family residential is considered a principal use and multi-family residential is considered a secondary use within the LDR land use category. Residential development is limited to a density of 7 units/acre when the site is served by full urban services. Currently, the site is completely undeveloped. However the applicant has indicated that the proposed development will not occur immediately and that the proposed amendment to RR-Acre is a placeholder until such proposed development is ready to move forward.

The proposed rezoning to RR-Acre shall limit the allowed density until such time as a long term master plan for the area is completed pursuant to the site-specific policy recommendation in the Land Use Amendment Staff Report.

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

Yes. This proposed rezoning to RR-Acre is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

#### **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 proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

The proposed rezoning will continue with the increase in density totals that has been ongoing throughout the past 20 years on the southeastern portion of the I-295 and J Turner Butler Interchange.

**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.

While no development is expected with the proposed rezoning, the proposed will help with the possibility of a future master planned development that will continue with the wide mix of uses that currently exists in the surrounding area.

**SURROUNDING LAND USE AND ZONING**

The immediate area surrounding the two subject parcels is developed as an industrial area with the majority of properties falling under the Industrial Light Category. The surrounding uses, land use category and zoning are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	Mu / AGR III	PUD/ AGR	Vacant Timber / Wasteland
<b>South</b>	LDR/ AGR-II/ AGR-IV	AGR/ RR-Acre	Vacant Timber
<b>East</b>	AGR-I/ AGR-II/ AGR-III	IL	Vacant Timber
<b>West</b>	LDR	RR-Acre/ RLD-50/ PUD	Vacant Timber/ Single Family Residential

**SUPPLEMENTAL INFORMATION**

According to the sign posting affidavit, as of January 30, 2020 the required Notice of Public Hearing sign was posted.



*Source: Planning and Development*  
*Date: January 30, 2020*

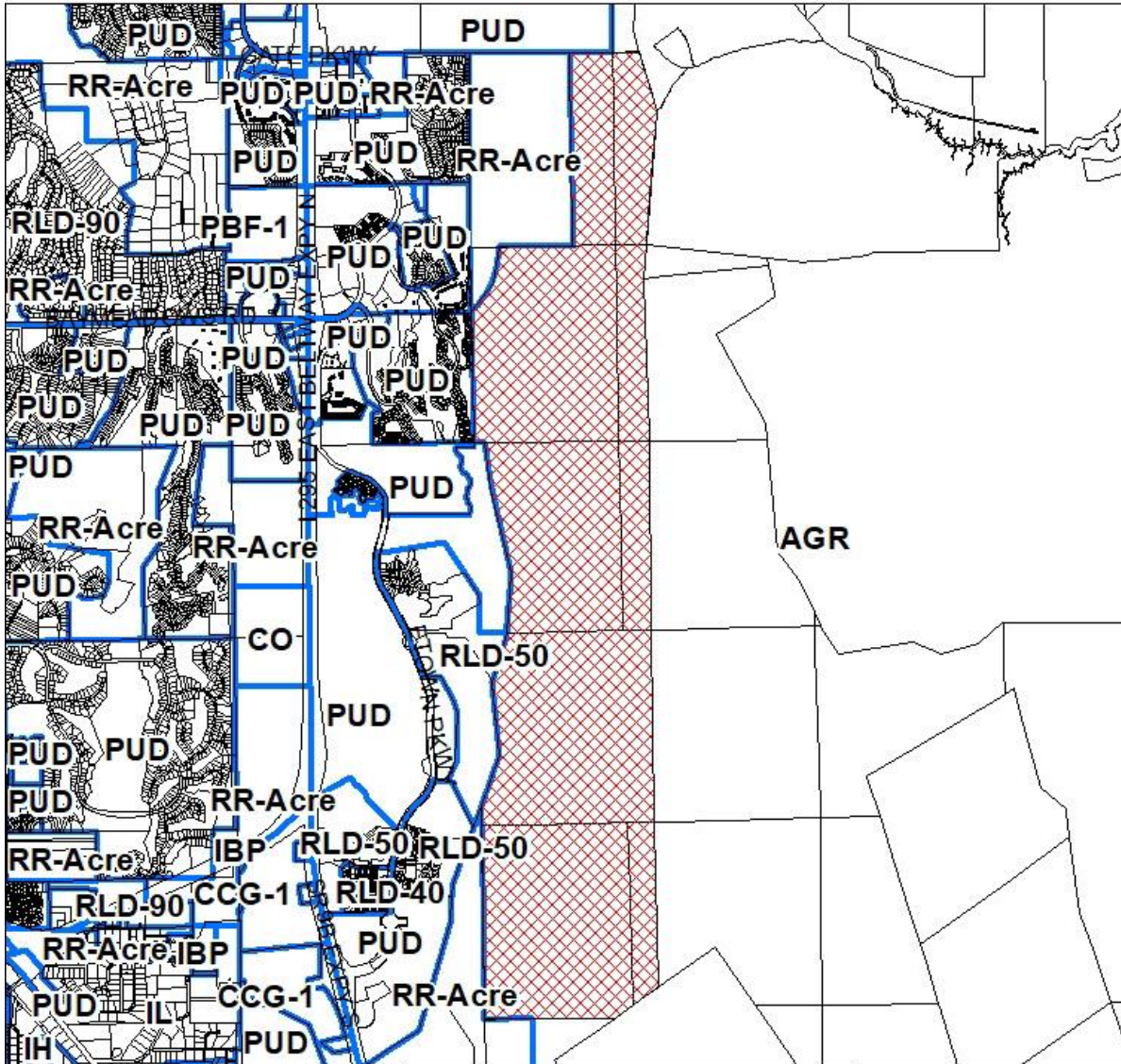
### **RECOMMENDATION**

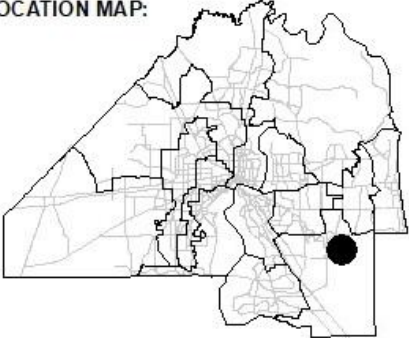
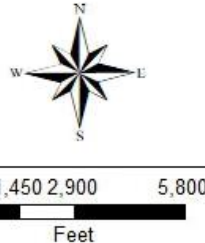
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2020-0165** be **APPROVED**.



Aerial Photo

Source: JaxGIS  
Date: March 26, 2020



<p>REQUEST SOUGHT:</p> <p>FROM: AGR</p> <p>TO: RR-ACRE</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT: 11</p>
<p>ORDINANCE NUMBER ORD-2020-0165</p>	<p>TRACKING NUMBER T-2019-2638</p>	<p><b>EXHIBIT 2</b> <b>PAGE 1 OF 1</b></p>

Legal Map

Source: JaxGIS  
Date: March 26, 2020