

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2020-0298

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 **2020-0298**.

Location: 0 Dunn Avenue (SR 104); Between Dobson Drive and Wingate Road North

Real Estate Number: 019974-0000

Current Zoning District: Planned Unit Development (PUD 1999-1098-E)

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

Current Land Use Category: Medium Density Residential (MDR)

Planning District: District 6—North

Applicant/Agent: Curtis L. Hart
Hart Resources, LLC
8051 Tara Lane
Jacksonville, Florida 32216

Owner: Alexander Sifakis
Hoose Homes and Investments, LLC
7563 Philips Highway, Building 100, Suite 208
Jacksonville, FL 32256

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0298** seeks to rezone 1.73± acres of a property from Planned Unit Development (PUD 1999-1098-E) to Residential Medium Density-D. The request is being sought to allow for the development of approximately 35 townhome units.

The need for the rezoning arises from the PUD's site plan constraints and its limitations on multi-family dwellings.

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.

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. The subject site is located on the north side of Dunn Avenue, a state road, and approximately a ½ mile west of Lem Turner Road. The site is located within the MDR land use category and the Suburban Development Area.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element (FLUE):

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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

In reference to the attached JEA Availability Letter, **2020-0816**, the proposed development shall connect to City water and sewer with an estimated flow of 8,750 gpd.

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 at the subject site would directly address the growth expected in Planning District #6 and provide for a greater variety of housing products for Jacksonville residents.

Recreation and Open Space Element (ROSE):

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.

The proposed rezoning shall adhere to the policy mentioned herein once development of the site commences.

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.

In accordance with the policy mentioned above, the proposed rezoning shall satisfy this requirement once vertical development commences.

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 from PUD to RMD-D in order to permit for a multi-family residential development—all while adhering to local, state, and federal regulations governing wetlands.

SURROUNDING LAND USE AND ZONING

The subject property is located at the intersection of Dunn Avenue and Dobson Drive in the northeastern quadrant. The proposed rezoning to RMD-D would allow for an appropriate transitional use and promote denser residential activity along Dunn Avenue, a minor arterial roadway and major commercial corridor. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	MDR	PUD 1999-1098	Single-Family Dwellings
East	MDR	PUD 1999-1098/RLD-60	Vacant/Undeveloped Land
South	MDR	PUD 1999-1098	Single-Family Dwellings
West	MDR	RMD-A	Single Family Dwelling

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **July 6, 2020** 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 **2020-0298** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 2/19/20

Aerial view of the subject site and parcel, facing north.

Figure B:



Source: Planning & Development Dept, 7/6/20

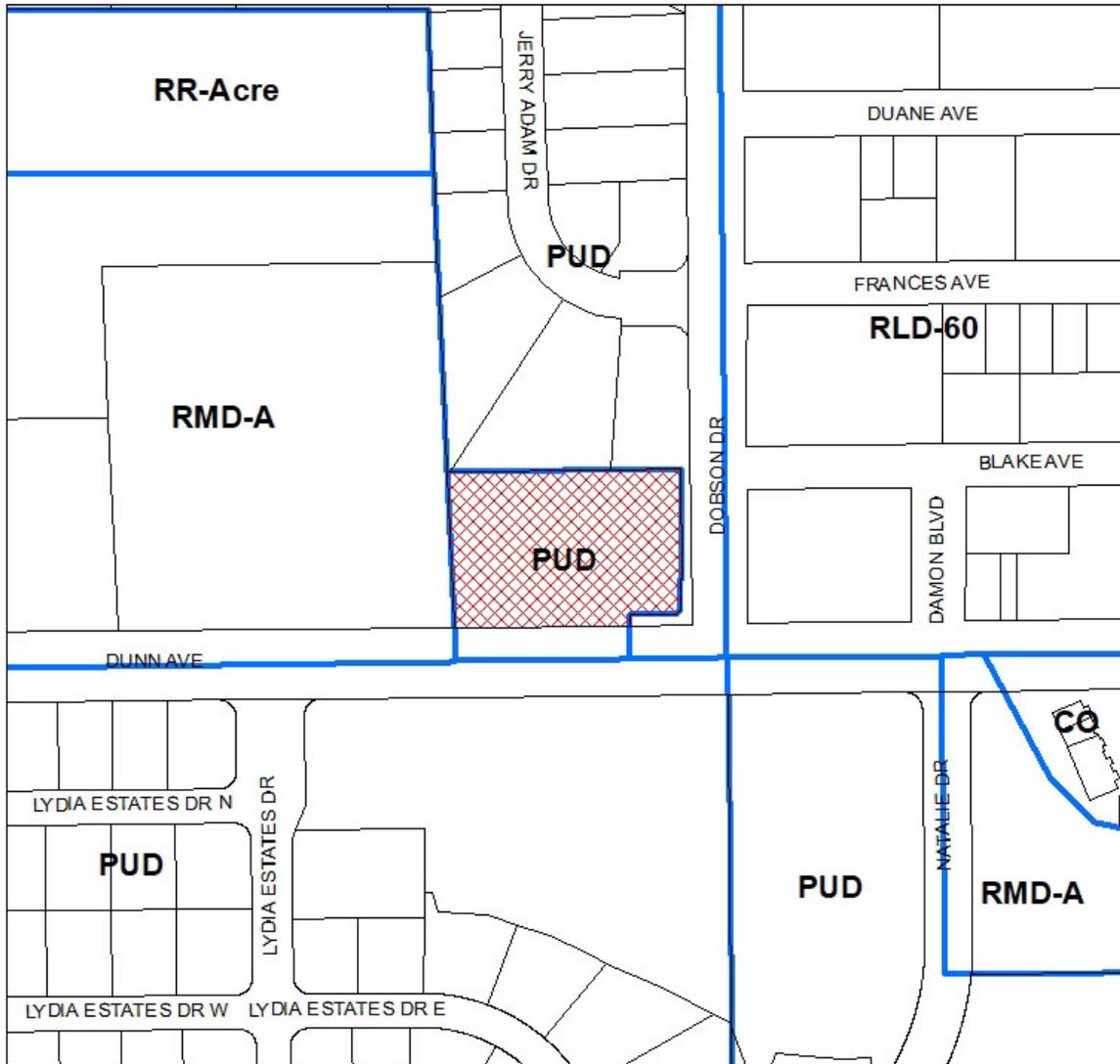
View of Dunn Avenue and the subject parcel, facing north.

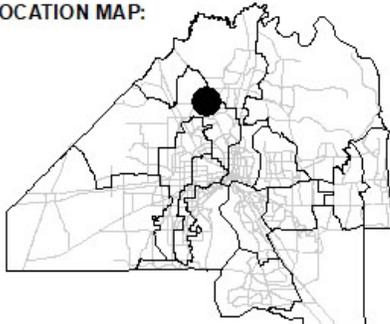
Figure C:



Source: Planning & Development Dept, 7/6/20

View of Dobson Drive and the subject parcel, facing west.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: RMD-D</p>	<p>LOCATION MAP:</p> 	 <p>0 80 160 320 Feet</p> <p>COUNCIL DISTRICT: 7</p>
<p>ORDINANCE NUMBER ORD-2020-0298</p>	<p>TRACKING NUMBER T-2020-2729</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>