

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO

APPLICATION FOR REZONING ORDINANCE 2019-0719

NOVEMBER 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 **2019-0719**.

Location: 0 Dunn Avenue (SR 104); Between Armsdale Road and Blossom Ridge Drive

Real Estate Number: 044220-0000

Current Zoning District: Planned Unit Development (PUD 1999-0751-E)

Proposed Zoning Districts: Residential Medium Density-A (RMD-A)
Commercial Neighborhood (CN)

Current Land Use Category: Neighborhood Commercial (NC)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: District 6—North

Applicant/Agent: Zach Miller, Esq.
501 Riverside Avenue, Suite 901
Jacksonville, FL 32202

Owner: Mona N Mohammed
12926 Riverplace Court
Jacksonville, FL 32233

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0719** seeks to rezone 11.90± acres of a property from Planned Unit Development (PUD 1999-0751-E) to Residential Medium Density-A (RMD-A) and rezone the property's remaining 3.20± acres of land from Planned Unit Development (PUD 1999-0751-E) to Commercial Neighborhood (CN). The request is being sought to allow for a mixed-use development of approximately 80 single-family dwellings and neighborhood commercial uses abutting Dunn Avenue.

Staff also notes a companion Small Scale Land Use Amendment L-5381-19A (**Ordinance 2019-0718**) that seeks to amend a portion of land on the property from Neighborhood Commercial (NC) to Medium Density Residential (MDR).

The rezoning site is also located within the boundaries of the JIA CRA, and was thereby forwarded to the Office of Economic Development (OED) for informational purposes.

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 that with the approval of companion Small Scale Land Use Amendment L-5381-19A (**Ordinance 2019-0718**), the subject property will 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. Staff also notes approximately 3.20± acres of the subject property will remain within the Neighborhood Commercial (NC) functional land use category.

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 land use for 11.9 acres of land is being changed from NC to MDR, which allows residential uses. The NC land use on the property abutting Dunn Avenue will remain NC, which allows for neighborhood commercial uses.

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, **2019-0530**, the proposed development shall connect to City water and sewer with an estimated flow of 44,750 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 product 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 2.2.4

A residential subdivision of 25 lots to 99 lots shall pay a recreation and open space fee of two-hundred-fifty (\$250) dollars per lot, or provide at least four hundred thirty-five (435) square feet of useable upland for each lot (and any fraction thereof), to be dedicated as common area and set aside for active recreation. The City shall use recreation and open space fees collected pursuant to this subsection to improve, enhance, expand, or acquire recreation areas within the same Planning District in which the fees are paid.

In accordance with the policy mentioned above, the proposed rezoning shall satisfy this requirement once subdivision 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-A and CN in order to permit for a mixed-use development—all while adhering to local, state, and federal regulations governing wetlands.

SURROUNDING LAND USE AND ZONING

The subject property is located between Blossom Ridge Drive and Armsdale Road. This segment of land (everything due north of Dunn Avenue) contains a mix of 60 foot to 70 foot lot sizes. The proposed rezoning to RMD-A would render the lots to have a minimum lot size of 40 feet in lot width and 4,000 square feet in lot area—which, in terms of density, would complement the abutting residential lots to the north of the subject property by providing a gradual, scaled transition between the LDR and NC land uses categories. Meanwhile, the proposed rezoning to CN would allow for an appropriate reduction in nonresidential square footage and promote commercial 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	LDR	PUD 1999-0751	Single-Family Dwellings
East	MDR	RMD-A	Medical/Assisted Living Facility
South	CGC/PBF	CCG-1/PBF-2	Storage Facility/Office/Church
West	CGC	PUD 2018-0289	Medical Offices

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **October 31, 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 **2019-0719** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 9/10/19

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

Figure C:



Source: Planning & Development Dept, 10/31/19

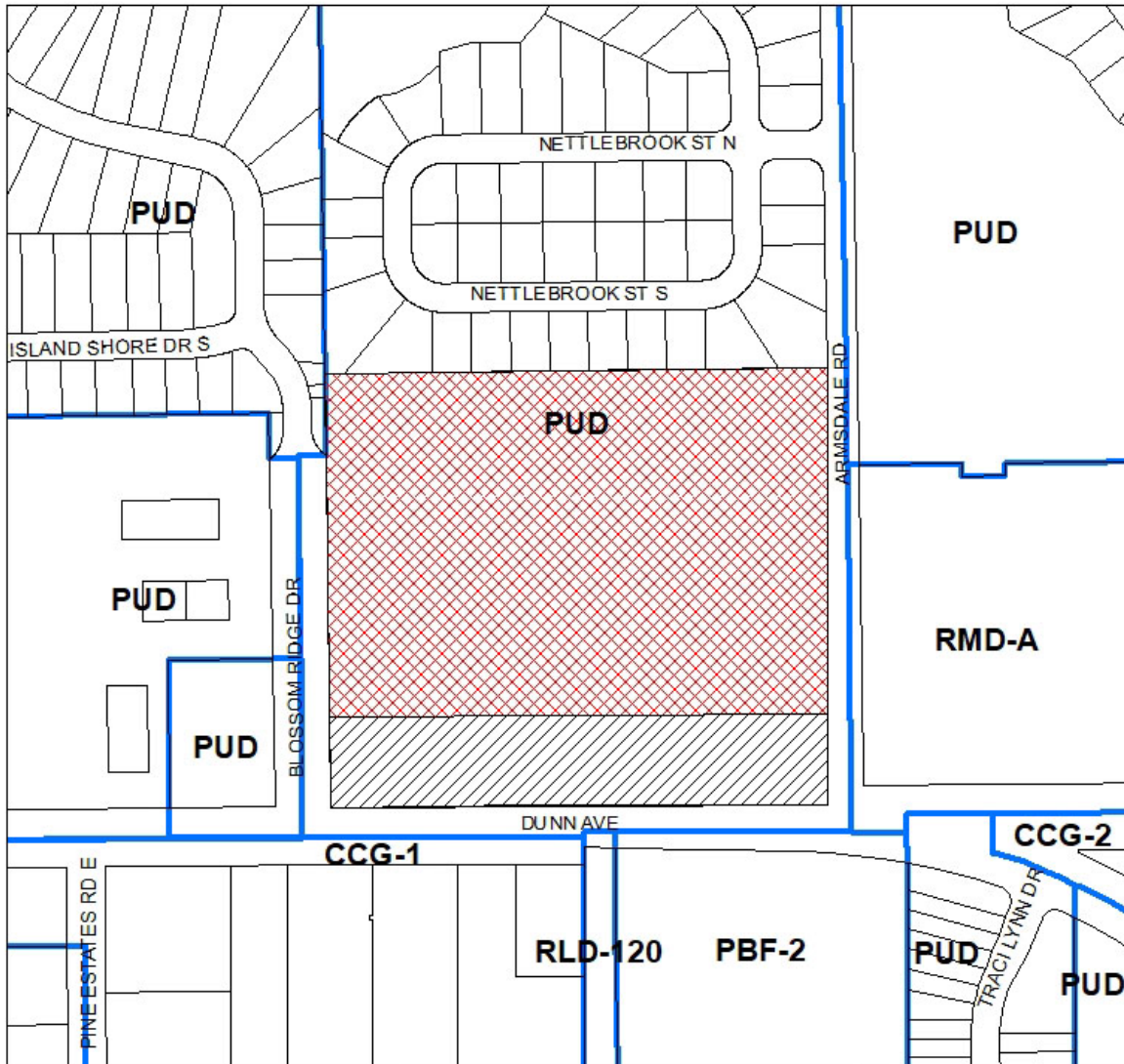
View of Dunn Avenue and the subject parcel, facing north.



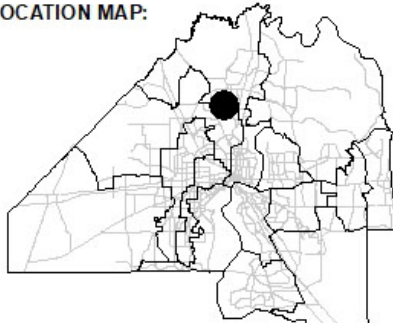

Figure D:



Source: Planning & Development Dept, 10/31/19

View of Armsdale Road and the subject parcel, facing west.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: RMD-A  CN </p>	<p>LOCATION MAP:</p> 	 <p>0 95 190 380 Feet</p> <p>COUNCIL DISTRICT: 7</p>
<p>ORDINANCE NUMBER ORD-2019-0719</p>	<p>TRACKING NUMBER T-2019-2513</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>