

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

January 19, 2023

The Honorable Terrance Freeman, President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2022-901**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	6-0
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Absent
Jason Porter, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	Absent
David Hacker	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
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Jacksonville, FL 32202
(904) 255-7820
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2022-0901

JANUARY 19, 2023

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 **2022-0901**.

Location: 10930 Old Gainesville Road; on the south side of Old Gainesville Road between Chaffee Road and Norton Road

Real Estate Number: 012797-0030

Current Zoning District: Residential Low Density-60 (RLD-60) and Residential Medium Density-A (RMD-A)

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

Current Land Use Category: Medium Density Residential (MDR) and Residential Professional Institutional (RPI)

Planning District: Southwest, District 4

Applicant/Agent: Curtis Hart
Hart Resources, LLC
8051 Tara Lane
Jacksonville, FL 32216

Owner: Frances Elizabeth Andrews Estate
P/R Jesse Andrews
10930 Old Gainesville Road
Jacksonville, FL 32221

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2022-0901** seeks to rezone approximately 2.7± acres of property from Residential Low Density-60 (RLD-60) and Residential Medium Density-A (RMD-A) to Residential Medium Density-D (RMD-D) to develop the property with multi-family residential units. The Planning and Development Department finds that the subject property is located in the Medium Density Residential (MDR) and Residential Professional Institutional (RPI)

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.

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 Medium Density Residential (MDR) / Residential Professional Institutional (RPI) functional land use categories 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. According to the Future Land Use Element (FLUE), MDR in the Suburban Development Area is intended to provide compact medium density residential development. Plan amendment requests for new MDR designations are preferred in locations that are supplied with full urban services and in locations that serve as a transition between commercial and residential land uses. Multi-family and single-family dwellings are the predominant development typology in this category. The maximum gross density in the Suburban Development Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre. In the absence of the availability of centralized water and sewer, the maximum gross density of development permitted in this category shall be the same as allowed in Low Density Residential (LDR) without such services, which is stated below:

Residential density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. The maximum gross density shall be 4 units/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.

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. A description of the category is noted below.

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.

Future Land Use Element

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.

The subject property is located on the south side of Old Gainesville Road between Chaffee Road and Norton Road, which is developed with residential structures and transitions between RMD-A, RLD-60 and RR-Acre Zoning Districts. Approval of the rezoning to RMD-D would allow for the same zoning designation as the adjacent properties to the south and east, which front Normandy Boulevard to the south therefore being in compliance with Policy 1.1.10.

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.

The subject properties is located in the Suburban Area and according to the JEA Availability letter, the site has access to centralized water and sewer service.

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.

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 Planning and Development Department, the subject property will be rezoned from RLD-60/RMD-A to RMD-D in order to develop the property with multi-family residential dwelling units.

SURROUNDING LAND USE AND ZONING

The subject site is located on the south side of Old Gainesville Road between Chaffee Road and Norton Road. Properties to the east and west have a zoning of RMD-A and are developed with single family dwellings. Properties to the south are zoned RMD-D with single family homes as well. Approval of the rezoning request to RMD-D would allow for development similar in nature to surrounding properties. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single Family Dwellings
South	RPI/MDR	RLD-60/RMD-D	Single Family Dwellings
East	MDR	RMD-A/RMD-D	Single Family Dwellings
West	MDR/RPI	RMD-A/RLD-40	Single Family Dwellings

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

SUPPLEMENTARY INFORMATION

The applicant provided proof of posting on **January 11, 2023** to the Planning and Development Department, that the 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 **2022-0901** be **APPROVED**.



Aerial View



View of Subject Property from Old Gainesville Rd.



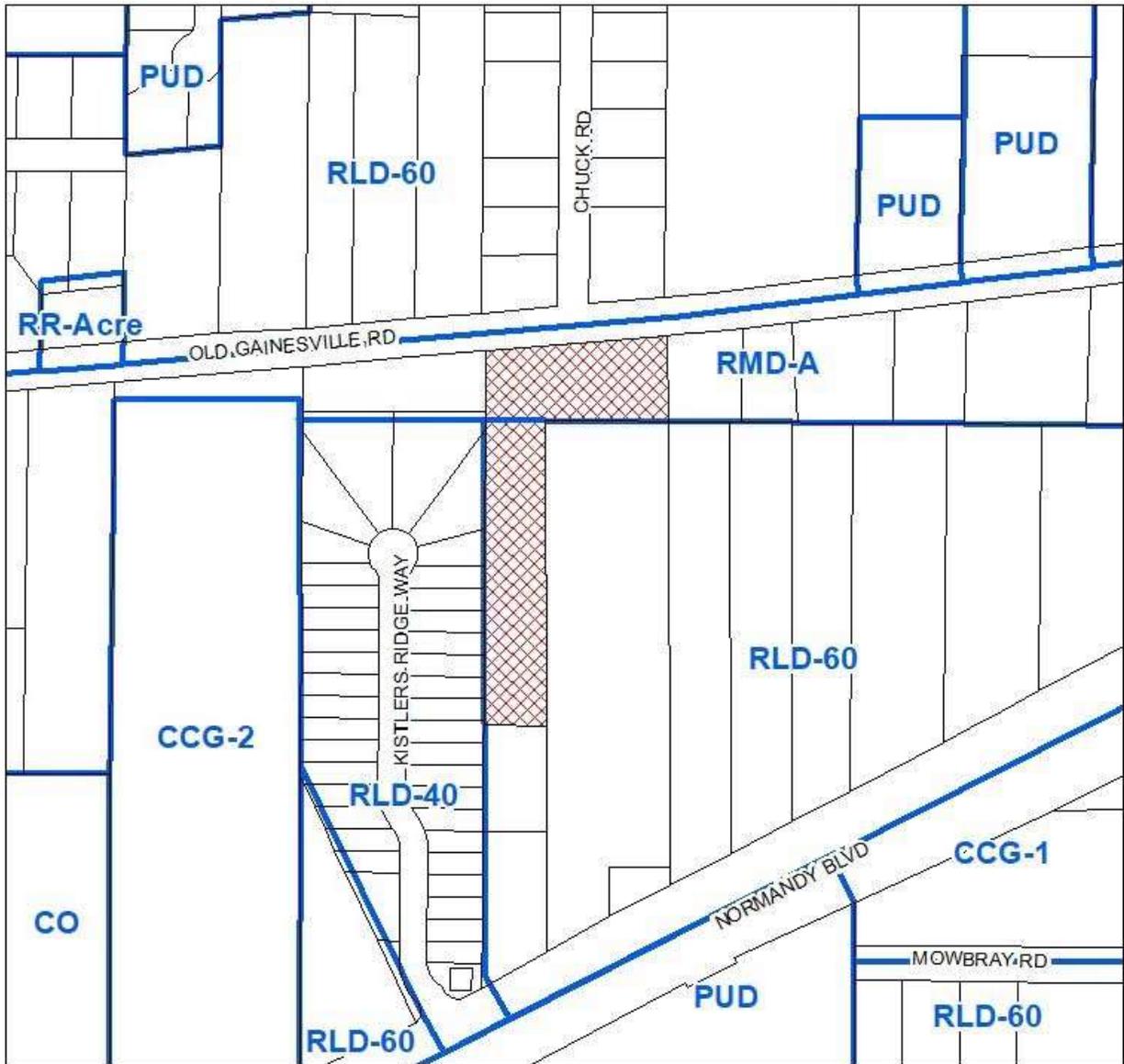
View of Subject Property



View facing west along Old Gainesville Rd.



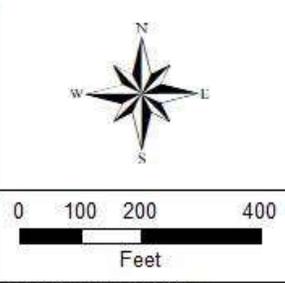
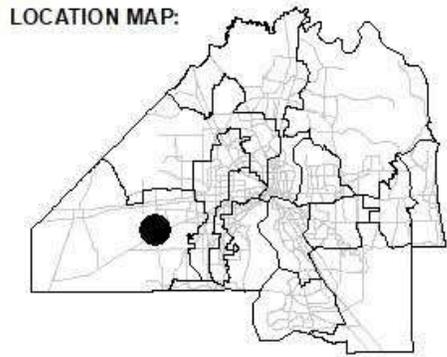
View facing east along Old Gainesville Rd.



REQUEST SOUGHT:

FROM: RMD-A & RLD-60
TO: RMD-D

ORD 2022-0901



COUNCIL DISTRICT:
12

TRACKING NUMBER
T-2022-4601

EXHIBIT 2
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