

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

May 4, 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.: 2023-202**

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: 7-0

Alex Moldovan, Chair Aye

Ian Brown, Vice Chair Aye

Jason Porter, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

Jordan Elsbury Aye

David Hacker Aye

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

Sincerely,

A handwritten signature in blue ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2023-0202

APRIL 20, 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 **2023-0202**.

Location: 0 Broward Road, between Belleshore Circle and Interstate Center Drive

Real Estate Number: 020691 0020; 020693 0010; 022163 0000

Current Zoning District: Residential Low Density-60 (RLD-60)
Commercial Community/General-1 (CCG-1)

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

Current Land Use Category: Low Density Residential (LDR)
Community/General Commercial (CGC)

Proposed Land Use Category: Medium Density Residential (MDR)
Conservation (CSV)

Planning District: North, District 6

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

Owner: Egret Creek Development LLC
8760 McKenna Drive
Jacksonville, FL 32226

Kelly Lawhon
8760 McKenna Drive
Jacksonville, FL 32226

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0202** seeks to rezone approximately 12.21± acres of property from Residential Low Density-60 (RLD-60) and Commercial Community/General-1 (CCG-1) to Residential Medium Density-D (RMD-D) and Conservation (CSV) to develop the property with residential dwellings. The applicant has submitted a companion small scale Land Use Amendment (**Ordinance 2023-0201 / L-5783-22C**), which seeks to amend the existing land use from Low Density Residential (LDR) and Community/General Commercial (CGC) to Medium Density Residential (MDR) and Conservation (CSV).

Of the 12.21± acres, 8.57 acres will be rezoned to Residential Medium Density-D and 3.64 acres of land will be rezoned to Conservations (CSV). The Conservation category depicted on the FLUMs includes areas that are protected through public or private nonprofit ownership and management. Development potential in these areas is generally limited to open space, resource and recreational uses. Conservation areas may include regional, state or national forests, parks, sanctuaries, preserves and Special Management Areas. More specific uses and activities permitted in these areas are guided by the approved management plans for each area when such plans exist. This category also includes some sites that are presently privately owned, are located in DRIs or PUDs, and are protected by development agreements or conveyed development rights, or the sites have been proposed for acquisition.

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 with the approval of the companion small scale Land Use Amendment (**2023-0201 / L-5783-22C**) the subject property will be located in the Medium Density Residential (MDR) / Conservation (CSV) 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.

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 east side of Broward Road, along the Trout River, which is developed with residential structures and transitions between RMD-D, RMD-B, and RLD-60 Zoning Districts. Approval of the rezoning to RMD-D would allow for a similar zoning designation as the nearby properties, 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/CCG-1 to RMD-D /CSV in order to develop the property with residential dwellings and protect wetlands along the Trout River.

SURROUNDING LAND USE AND ZONING

The subject site is located on the east side of Broward Road, along the Trout River. Properties to the north and west have a zoning of RLD-60 and are developed with single family dwellings. Properties to the south and east are zoned for commercial uses. 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, Saint Patricks Catholic School |
| South | CGC | CCG-1 | Single Family Dwellings, Service Garage |
| East | CGC | PUD 2021-0070-E | Vacant |
| West | LDR | RLD-60 | Single Family Dwellings |

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

SUPPLEMENTARY INFORMATION

The applicant provided proof of posting on **April 12, 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 **2023-0202** be **APPROVED**.



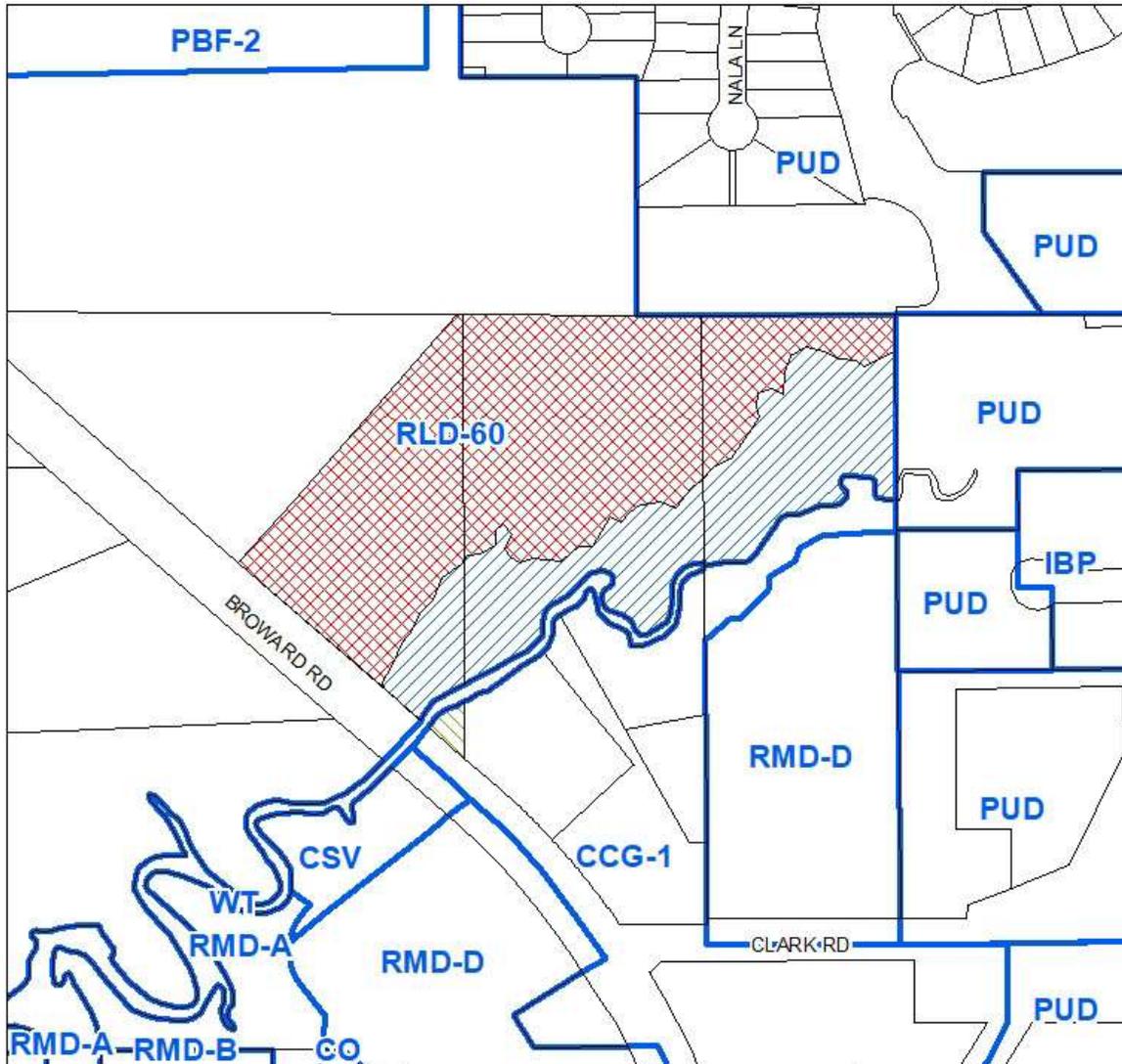
Source: Planning & Development, 4/12/2023

Aerial view of the subject property, facing north.



Source: Planning & Development, 4/12/2023

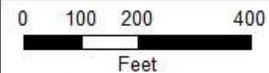
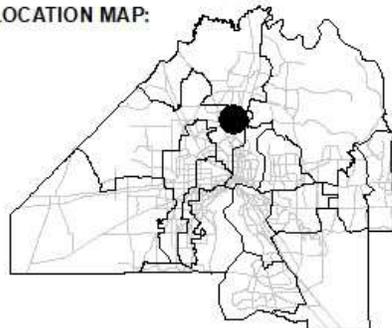
View of the subject property from Broward Road.



REQUEST SOUGHT:

-  RLD-60 TO RMD-D
-  RLD-60 TO CSV
-  CCG-1 TO CSV

LOCATION MAP:



COUNCIL DISTRICT:

8

ORD 2022-0901

ORD-2023-0202

TRACKING NUMBER

T-2022-4646

EXHIBIT 2
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