

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

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

8 October 2020

The Honorable Tommy Hazouri, President  
The Honorable Michael Boylan, LUZ Chair  
And Members of the City Council  
City Hall  
117 West Duval Street  
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report  
Ordinance No.: 2019-13**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan  
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 several speakers in opposition with concerns about access and the upcoming legal proceedings. The Commissioners felt the proposed lot sizes will be compatible with the area.

Planning Commission Vote:	6-1
Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Aye
David Hacker, Secretary	Nay
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	Absent
Jason Porter	Aye

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

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Lewis". The signature is fluid and cursive, with the first name "Bruce" being the most prominent.

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  
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**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-0013**

**OCTOBER 8, 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 **2019-0013**.

***Location:*** 0 Quinlan Road East  
Between Gately Road and Girvin Road

***Real Estate Number:*** 162126-0130; 016114-0000; 162122-0000;  
162115-0000

***Current Zoning District:*** Residential Rural- Acre (RR-Acre)

***Proposed Zoning District:*** Residential Low Density- 90 (RLD-90)

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

***Planning District:*** District 2—Greater Arlington/Beaches

***Applicant/Agent:*** Paul M. Harden Esq.  
Law Offices of Paul M. Harden  
501 Riverside Avenue, Suite 901  
Jacksonville, Florida. 32202

***Owner:*** Charles W. Laskey  
930 Kingsley Avenue  
Orange Park, Florida 32073

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2019-0013** seeks to rezone 16.06± acres of a property from Residential Rural - Acre (RR-Acre) to Residential Low Density – 90 (RLD-90). The property is located in the Low Density Residential (LDR) land use category within the Suburban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought in order to build a single family subdivision on a vacant piece of land surrounded by other single family residences and Mount Pleasant Creek. The department has previously supported an application on the property to change to RLD-100A via Ordinance **2006-1290**, however the

ordinance was ultimately denied by the Land Use and Zoning Committee and City Council in 2007.

### **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 subject site is located south of Quinlan Road North and at the end of Quinlan Road East. The applicant seeks to rezone the property from RR-Acre to RLD-90 to develop a single-family subdivision. The application site is located in the Suburban Development Area, Planning District 2 and Council District 2.

According to the Future Land Use Element (FLUE), LDR in the Suburban Area is intended to provide for low density residential development. Single family dwellings are a principal use in the LDR land use category. While the maximum allowable density for the subject site is 7 units/acre, subdivisions that do not connect to JEA water and sewer are limited to 2 unit/acre with a minimum lot size of 0.5 acres. The applicant has provided a JEA availability letter with their application, which states that centralized water and sewer is available from both Gately Road and Gately Oaks Lane. According to the applicant, contiguous property ownership has been made between the subject parcel and the point of connection on Gately Road or Gately Oaks Lane allowing the subdivision to connect to the centralized water and sewer connection points in the area. The site review process will further ensure the development is consistent with the subdivision regulations requiring connection to the centralized water and sewer before development.

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

Yes. The subject site is located south of Quinlan Road North and at the end of Quinlan Road East. The applicant seeks to rezone the property from RR-Acre to RLD-90 to develop a single-family subdivision. The application site is located in the Suburban Development Area, Planning District 2 and Council District 2.

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**The proposed rezoning does further the following goals, objectives and policies of the 2030 Comprehensive Plan:**

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

*Currently the site does not have direct access to centralized water and sewer, and will be required to obtain other property to achieve the contiguous property connection that JEA requires prior to development. The applicant has indicated to the Department that a possible connection point has been made, but has not provided proof as of September 25, 2020.*

**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.

*If an access point is ultimately found, the density of the proposed Zoning District will be consistent with the existing residential uses in the surrounding area. The additional homes that the district would allow will also preserve the residential character of the area.*

**Portions of the Subject Property are located within Flood Zones, the following parts of the 2030 Comprehensive Policy address the properties requirements on the development of the affected land:**

Approximately 1.48 acres of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard and 3.40 acres is located within the AE flood zone. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm of Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

0.2 PCT Annual Chance Flood Hazard are areas within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be

subject to moderate flood hazards. AE are areas within the 100-year floodplain or SFHA where flood insurance is mandatory.

**Conservation /Coastal Management Element (CCME)**

**Policy 1.4.4** The City shall require all development within the 100-year flood plain to be in strict conformance with all applicable federal, State, regional and local development regulations.

**Policy 2.7.1** The City shall continue to define the surface hydrology of the area to determine flood plain vulnerability and sensitivity, and will determine appropriate protection measures.

**Policy 2.7.3** The City shall protect appropriate floodplain areas for the public benefit and restore degraded floodplain areas by: A. Land acquisition or conservation easement acquisition; B. Regulation, including setbacks, buffer zones, designated wildlife corridors, low density zoning, performance standards and open space requirements; and C. Incentives, including tax benefits and transfer of development rights.

There has also been 2.2 acres of the subject property that have been identified as containing wetlands. The Planning and Development Departments Land Use Review (see attachment) discusses these wetlands in great detail.

**3. Does the proposed rezoning conflict with any portion of the City's land use regulations?**

No. The proposed rezoning conflicts with the portions of the City's Land Use Regulations mentioned above.

**SURROUNDING LAND USE AND ZONING**

The subject property is located on Quinlan Road East and North, a .30+/- mile private residential road in the Greater Arlington area. Quinlan Road East is made up of exclusively Single Family Residences with a general lot size of one half acre. The surrounding Zoning and Land Use Categories are as followed:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	LDR	RR-Acre/RLD-90	Single Family Dwellings
East	AGR-III	RR-Acre	Marshlands
South	LDR	RLD-90	Single Family Dwellings
West	LDR	RR-Acre/RLD-90	Single Family Dwellings

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on January 24, 2019 by the Planning and Development Department, the required Notice of Public Hearing sign were posted.



Source: Planning and Development Department

Date: January 24, 2019

**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2019-0013 be **APPROVED**.



Aerial View

Source: JaxGIS

Date: January 24, 2019



View of the Subject Property looking down Quinlan Road North from Gatley Road  
*Source: Planning and Development Department* *Date: January 24, 2019*



View of the Subject Property looking down Quinlan Road East from Quinlan Road North  
*Source: Planning and Development Department* *Date: January 24, 2019*



View of the Subject Property looking down Quinlan Road East from Quinlan Ridge Lane

*Source: Planning and Development Department*

*Date: January 24, 2019*



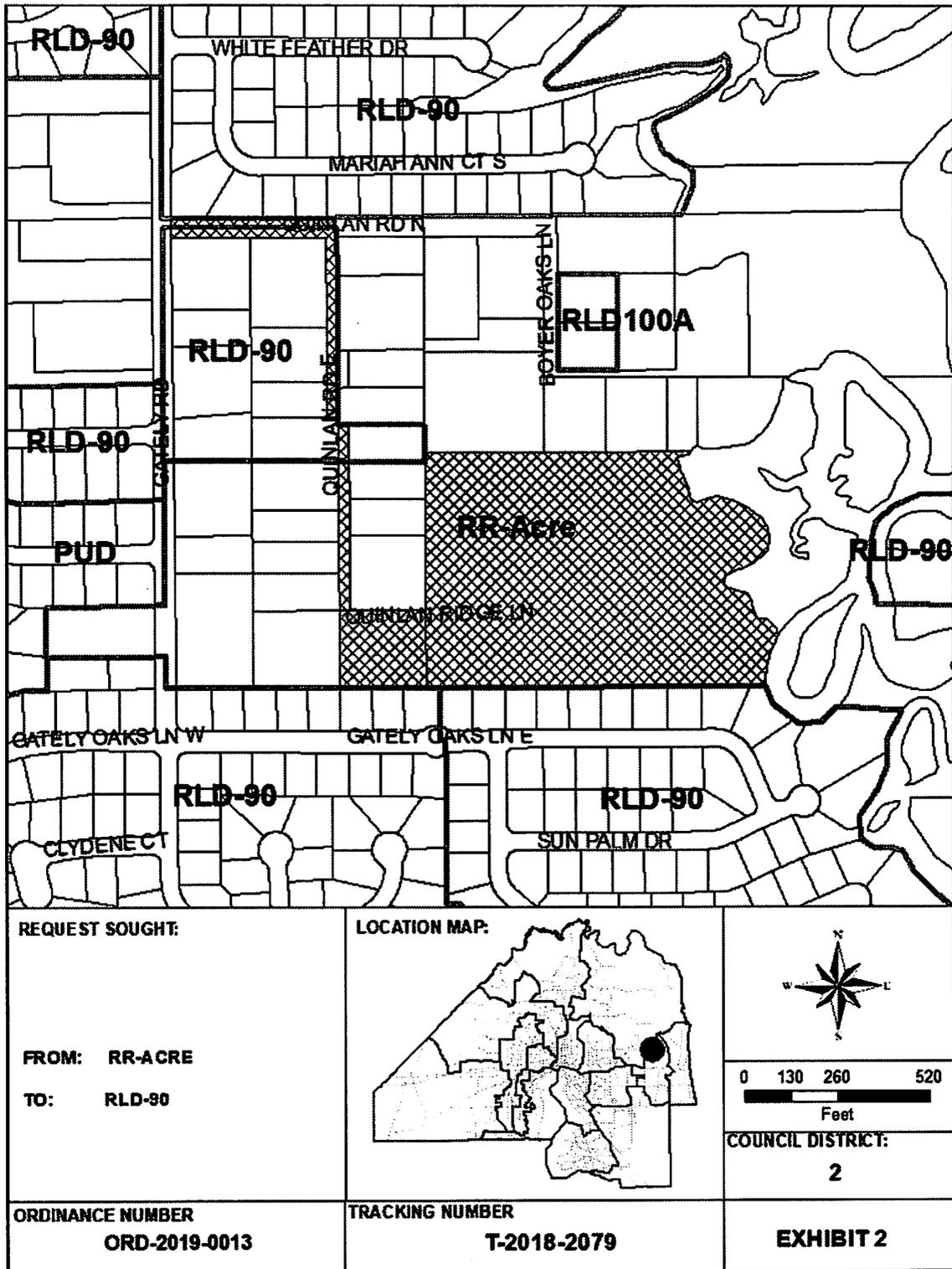
View of the driveway entrance to the two Subject Properties on Quinlan Ridge Lane

*Source: Planning and Development Department*

*Date: January 24, 2019*



View of the neighboring property at the corner of Quinlan Road East and Quinlan Ridge Lane  
*Source: Planning and Development Department* *Date: January 24, 2019*



Legal Map