

AQUA RESERVE
RPD REZONING NARRATIVE

1. Overview

This is a request for a rezoning amendment from MF-2 (County) to RPD (City) to allow for the development of a maximum of 32 Townhomes (South Parcel) and 50 Apartments (North Parcel) on approximately 18.9 acres located on the north and south sides of Sea Forest Drive, west of Elisabethan Lane. An annexation petition and a Comprehensive Plan land use amendment from RES-24 (County) to HDR-24 (City) are being simultaneously submitted.

2. Comprehensive Plan Review

The property is well suited for the proposed development of 32 townhomes and 50 apartments since it already has a County land use designation of RES-24 and a zoning district of MF-2 which allow for high density residential development. The proposed RPD zoning for 32 townhomes and 50 apartments is 10.86 units per developable acre (4.34 units per gross acre) which is well below the maximum density under the HDR-24 land use designation. Currently, the property can be developed within the County as a matter of right, provided all applicable land development code requirements are met, at a maximum density of 18 dwelling units per acre. The property is located on Sea Forest Drive, an existing County collector roadway, and in proximity to two existing bus stops. Central water and sewer are available from FGUA. The schools that this property are zoned for are all under capacity.

3. Guidelines for Granting a Rezoning. LDC section 5.01.11

The development department, development review committee, and land development review board shall consider all of the following guidelines when making a recommendation to the city council on a rezoning application, and the city council shall consider all these guidelines in determining whether to adopt an ordinance granting such rezoning:

1. Whether the proposed zoning district is one (1) of the zoning districts intended to implement or be consistent with the future land use map designation of the property. *The RDP zoning district is consistent with the proposed HDR-24 land use designation.*
2. If more than one (1) zoning district implements or is consistent with the future land use map designation of the property, whether the proposed zoning district is the most suitable zoning district. *The proposed zoning district is the most suitable zoning district since it sets the maximum density and allows for the development of specific dimensional standards.*

3. Whether there are substantial reasons why the property cannot be used in accordance with its present zoning district, or the existing zoning district is otherwise unsuitable. *The existing zoning district is a County zoning district.*
4. Whether the proposed zoning district is consistent with the character of the existing land use pattern. *The property is surrounded by RES-24 land use designations and MF-2 zoning districts that allow for a maximum of 18 units per acre.*
5. Whether the proposed zoning district abuts a property with a zoning district similar in intensity to the proposed zoning district, or serves as a suitable transition zoning district between two (2) or more different abutting zoning districts. *The property is surrounded by RES-24 land use designations and MF-2 zoning districts that allow for a maximum of 18 units per acre.*
6. Whether there are substantial changed or changing conditions in the character of the area where the property is located so that the proposed zoning district is now suitable. *The City and Property Owner desire for the property to be annexed which requires a rezoning to a City zoning district.*
7. Whether, based upon the property's size, shape, or characteristics, the proposed zoning district is out-of-scale with the surrounding area. *The property is surrounded by RES-24 land use designations and MF-2 zoning districts that allow for a maximum of 18 units per acre.*
8. Whether the proposed zoning district is premature, based upon the existing conditions in the surrounding area. *The proposed development is infill development in a location where there is an existing collector roadway system, transit, central water and sewer and under-capacity schools.*
9. Whether there is a substantial public need or purpose for the proposed zoning district consistent with the public health, safety and general welfare. *There is a substantial public need or purpose since the proposed development is infill development in a location where there is an existing collector roadway system, transit, central water and sewer and under-capacity schools. Substantial public investments in infrastructure have already been made in this location.*
10. Any other factors that may be relevant to the rezoning, such as its location within an enclave, recent annexation into the city, or to conserve the value of buildings and natural resources. *The property is contiguous to and being annexed into the City.*
11. The totality of the circumstances. *The totality of the circumstances as set forth above support the rezoning of the property to the City's RPD District.*
12. Any competent substantial evidence presented at the public hearings.