

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2015-492**

**AUGUST 20, 2015**

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 **2015-492**.

***Location:*** 4105 Dunn Avenue; on the north side of Dunn Avenue at the northwest corner of Wingate Road North and Dunn Avenue

***Real Estate Numbers:*** 020003-0000

***Current Zoning District:*** Residential Medium Density-A (RMD-A)

***Proposed Zoning District:*** Commercial Community/General-1 (CCG-1)

***Current Land Use Category:*** Medium Density Residential (MDR)

***Proposed Land Use Category:*** Community/General Commercial (CGC)

***Planning District:*** North

***City Council District:*** The Honorable Katrina Brown, District 8

***Planning Commissioner:*** Lisa King

***Applicant/Agent:*** Dan Boswell  
4014 Ranie Road  
Jacksonville, Florida 32218

***Owner:*** Jo Corbitt  
11344 Wingate Road North  
Jacksonville, Florida 32218

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2015-492** seeks to rezone 2.49 acres of land located at 4105 Dunn Avenue. The property contains one house and three mobile homes in the Residential Medium Density-A (RMD-A) Zoning District. The applicant proposes a companion future land use amendment 2015C-012 (Ord. 2015-491) from Medium Density Residential (MDR) to

Community/General Commercial (CGC) and this rezoning from Residential Medium Density–A (RMD-A) to Commercial Community General-1(CCG-1) to develop commercial uses similar to the commercial uses found to the west and south of the property.

The area surrounding the site is characterized by a mix of commercial, office, single family homes, vacant land and a rehabilitation center. The intersection of North Campus Boulevard (the entrance to Florida State College) and Dunn Avenue is just west of the subject property and has been recently developed with new commercial sites/uses including a gas station/convenience store on both the north and south side of Dunn Avenue. The property that abuts the west side of the subject site has a land use category of Regional Commercial (RC) and zoning of CCG-1 and has been developed in part as a Goodwill retail store. The RC land use category was sought for future large scale commercial development and meets the standards and guidelines for developments of regional impact (DRI). The RC land use encompasses five lots located to the west of the subject property. One of those lots is 107 acres and abuts five single family lots located on Wingate Road north of the subject property. The 107 acres is being developed as a medical center by Baptist Hospital. Wingate Road is approximately 0.6 miles long and dead ends at the Baptist Hospital property.

### **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 the subject property is located in the Medium Density Residential (MDR) functional land use category. According to the category description of the Future Land Use Element (FLUE), Medium Density Residential (MDR) is intended to provide for compact low to medium density mixed use development at up to 20 units per acre.

Companion future land use amendment 2015C-012 (Ord. 2015-491) from the Medium Density Residential (MDR) to Community/General Commercial (CGC) land use designation would allow for outlets and establishments that offer a wide range of goods and services including general merchandise, apparel, food and related items. General

commercial uses include business and professional offices, financial institutions, highway commercial, mobile home/motor home rental and sales, off-street parking lots and garages, and boat storage and sales, among other similar types of commercial developments.

The subject property is located in a developed area of the City and on a minor arterial roadway less than one half of a mile east of the I-295 access ramp. Development of the subject site as CGC is compatible with the character of the adjacent uses, especially the adjoining RC properties which will be a medical complex. The Commercial Community General-1 Zoning District is a primary zoning district within the Community General Commercial functional land use category, and the subject property meets the primary criteria and standards. The application 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 application is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

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.

Objective 3.2 Continue to promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

Objective 3.4 Where feasible, the City shall encourage all new developments to conform to a compact and connected growth pattern with land use

diversity and improved interrelationships among living, working, shopping, education and recreational activities.

The subject property is located in a developed area of the City and on a minor arterial roadway less than ½ a mile east of the I-295 access ramp. Development of the subject site as CGC is compatible with the character of the adjacent uses, especially the adjoining RC properties which will be a medical complex. Therefore, the proposed land use change and rezoning aids in maintaining a compact and compatible land use pattern and is consistent with FLUE Objective 1.1 and Policy 1.1.22. The application promotes and sustains the viability of the existing and emerging commercial/business area which offers a full range of employment opportunities to support the surrounding residential areas. As such, the proposed land use amendment is also consistent with FLUE Objectives 3.2 and 6.3.

The proposed development is located adjacent to a store and gas station fronting along Dunn Avenue. Although there are MDR properties north of the subject site, development of commercial uses on this lot will not increase non-residential traffic into the adjacent neighborhood. Therefore the proposed amendment is also consistent with FLUE Policy 3.2.4.

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. The subject property shall meet the requirements of the CCG-1 Zoning District as set forth in Section 656.313 of the Zoning Code.

**SURROUNDING LAND USE AND ZONING**

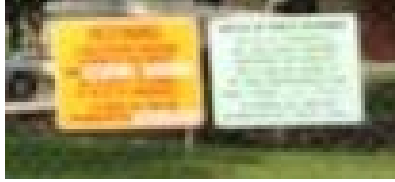
The surrounding uses, land use category and zoning are as follows:

<b>Adjacent Properties</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
North	MDR	RMD-A	Single family dwellings
East	MDR	RMD-A	Undeveloped
South	MDR	RMD-A	Nursing home
West	RC	CCG-1	Goodwill store / 7 Eleven Filling station

The Dunn Avenue corridor has a mix of zoning districts from RLD, RMD-A, CN, CCG-1 and PUD. Immediately to the south across Dunn Ave is a nursing home and 26 acres of undeveloped land to the east. To the west is a recently constructed Goodwill Store. North of the site are single family homes. The proposed rezoning will allow for commercial uses that would be in keeping with the existing zoning districts along Dunn Avenue. Therefore, the proposed rezoning to CCG-1 will be consistent and compatible with the adjacent properties established in the vicinity.

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on August 11, 2015, 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 **2015-492** be **APPROVED**.



**Aerial view of the subject site facing north**



**The subject site on the right facing west along Dunn Ave.**



**Facing north on Wingate Rd. N. with the subject on the left**



**Facing west at the subject site from Wingate Rd. N.**



**Facing south down Wingate Rd. towards Dunn Ave with the subject site on the right**



**Facing west along Dunn Ave. with the subject site on the right**

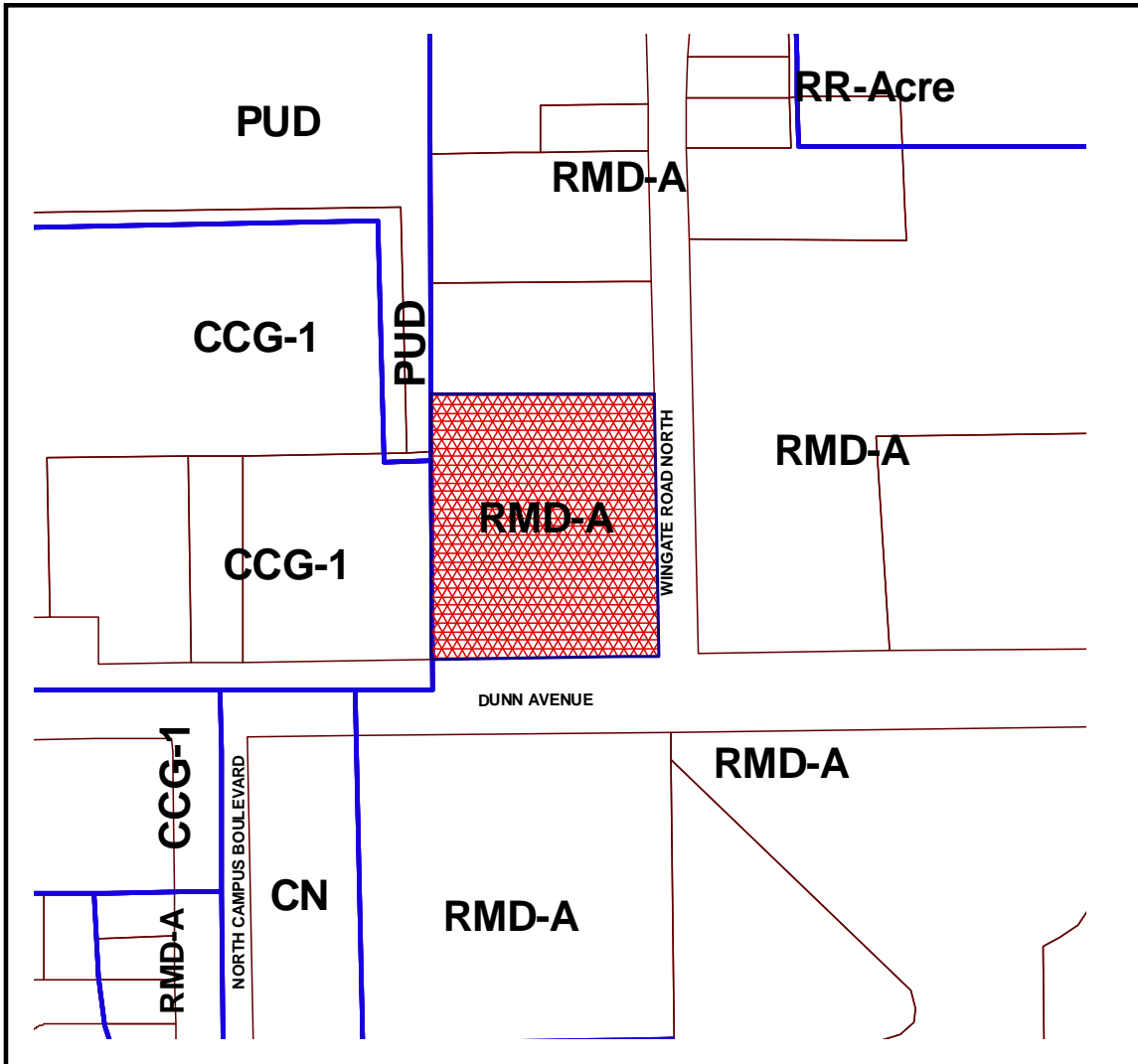




**Facing northwest into the subject site from Dunn Ave.**



**Facing north into the subject site from Dunn Ave.**



<p>REQUEST SOUGHT:</p> <p><b>FROM: RMD-A</b></p> <p><b>TO: CCG-1</b></p>		<p>0 100 Feet</p> <p>COUNCIL DISTRICT: <b>7</b></p>
<p>ORDINANCE NUMBER: <b>ORD-2015-0492</b></p>	<p>TRACKING NUMBER: <b>T-2015-0852</b></p>	<p><b>Exhibit 2</b></p>

