

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2015-493

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 **2015-493**.

Location: South side of Dunn Avenue between North Campus Boulevard and Wingate Road

Real Estate Numbers: 020042-0010

Current Zoning District: Commercial Neighborhood (CN)

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

Current Land Use Category: Community/General Commercial (CGC)

Planning District: North, 6

Planning Commissioner: Lisa King

City Council District: The Honorable Katrina Brown, District 8

Applicant/Agent: Steve Diebenow, Esq.
Driver, McAfee, Peek & Hawthorne, PL
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: Orange Blossom Trail Orlando, LLC
8650-12 Old Kings Road, South
Jacksonville, Florida 32217

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2015-493** seeks to rezone 1.41 acres of the subject property of undeveloped land in the Commercial Neighborhood (CN) to Commercial Community/General-1 (CCG-1) Zoning District. The area is surrounded by nursing home, filling

station/convenience store, Goodwill and single family dwellings. The site is at the intersection of Dunn Avenue which is classified as a principal arterial and North Campus Boulevard, a collector roadway.

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 Community General Commercial (CGC) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. 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.

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 meets 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:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	RC	CCG-1	Goodwill store / 7 Eleven Filling station
East	MDR	RMD-A	Nursing home
South	MDR	PUD (05-182)	Single family dwellings
West	CGC	CCG-1	Gate Filling station / convenience store
	LDR	RMD-A	Single family dwellings

The Dunn Avenue corridor has a mix of zoning districts from RLD, RMD-A, CN, CCG-1 and PUD. Immediately to the east is a nursing home and undeveloped wetlands. To the north is a recently constructed Goodwill Store and single family dwellings on large lots. Across North Campus Boulevard to the west is a filling station. South of the site are single family subdivisions.

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 sign **was** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2015-493** be **APPROVED**.



Aerial view of site



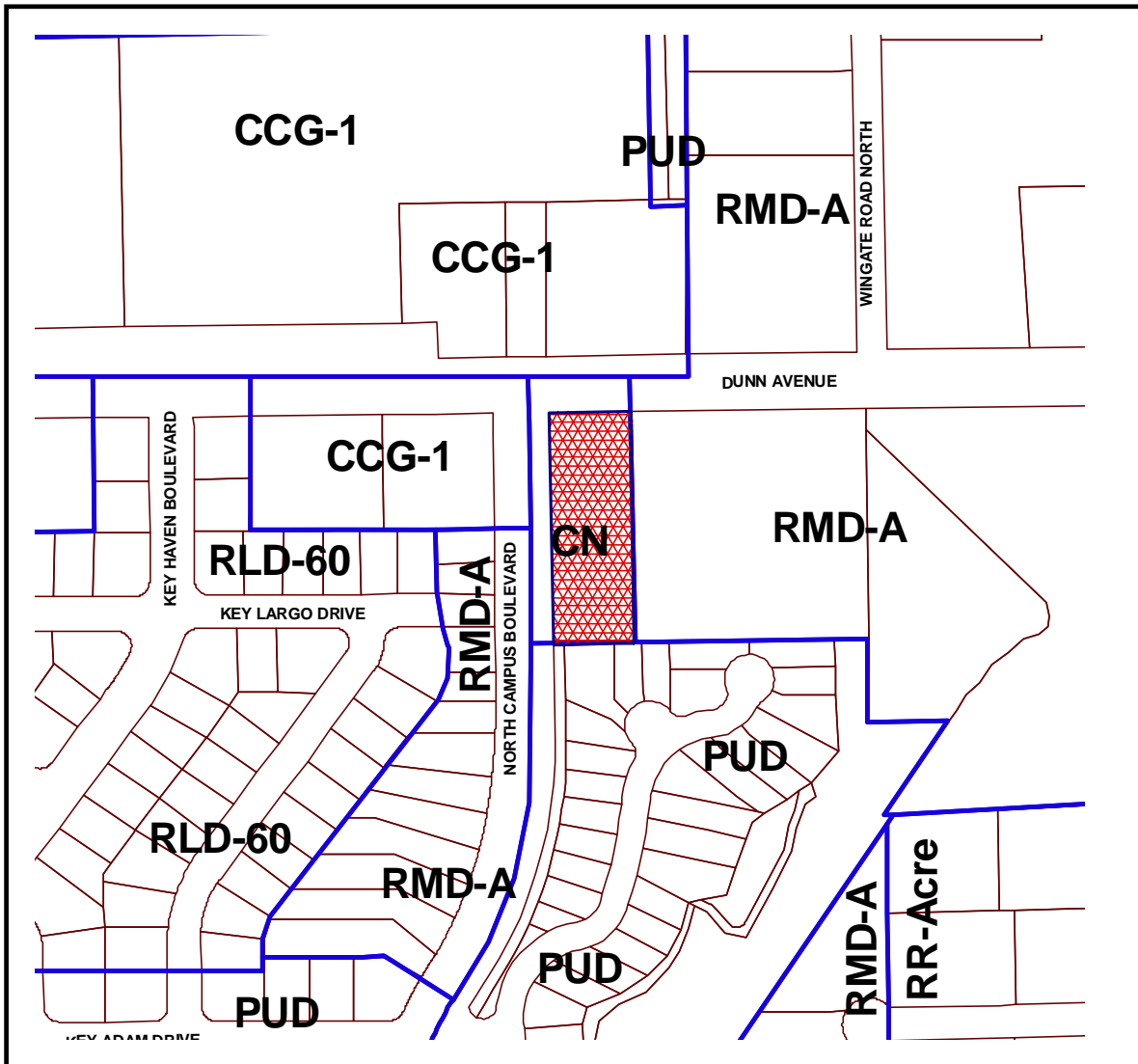
Landscaped median on North Campus Boulevard



Filing station west of site.



Filling station northwest of site.



<p>REQUEST SOUGHT:</p> <p>FROM: CN</p> <p>TO: CCG-1</p>		<p>0 100 Feet</p> <p>COUNCIL DISTRICT: 8</p>
<p>ORDINANCE NUMBER: ORD-2015-0493</p>	<p>TRACKING NUMBER: T-2015-0867</p>	<p>Exhibit 2</p>