

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2016-0391

JULY 21, 2016

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 **2016-0391**.

Location: 2079 Mayport Road & 759 Brazeale Lane,
between Brazeale Lane & Fairway Villa Lane

Real Estate Numbers: 169454-0000 & 169456-0000

Current Zoning District: Commercial Residential Office (CRO)

Proposed Zoning District: Commercial Community General – 1 (CCG-1)
Commercial Community General – 2 (CCG-2)

Current Land Use Category: Residential Professional Institutional (RPI)

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

Planning District: Arlington/Beaches, District 2

Planning Commissioner: Chris Hagan

City Council District: The Honorable Bill Gulliford, District 13

Applicant/Agent: Fred Atwill
Atwill LLC
9001 Forest Acres Lane
Jacksonville, FL 32234

Owner: Atlantic Beach Professional Office Park, LLC
C/O Stephen F. Holste
900 North Rock Hill Road
St. Louis, MO 63119

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2016-0391** seeks to rezone 2.61 acres from Commercial Residential Office (CRO) to Community / Commercial General – 1 & 2 (CCG-1 & CCG-2). The property is located in the CGC land use category in the Suburban Development Area. The CRO zoning district is a primary district within the CGC land use category and is one of the least intense commercial districts within that category. The property is located within the Cypress Cove Neighborhood Association, Mayport Road Corridor, and Mayport Road Zoning Overlay. The property is also within a 300 height limitation airport restriction zone for Mayport Naval Air Station. According to the application, both City of Atlantic Beach water and sewer lines are available and the site fronts with the adjoining to be used in its development State Road A1A, which is classified as a minor arterial roadway according to the 2030 Comprehensive Plan Functional Highway Classification Map.

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, with the approval of application for small scale land use amendment 2016C-015 (Ordinance **2016-0390**), the subject property will be located in the CGC functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The CGC is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. The area designated for the proposed rezoning is 2.46 acres, and is currently vacant and undeveloped.

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

Yes. The proposed amendment 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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.*

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.*

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.*

Policy 3.1.3: *Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.*

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.*

Policy 3.2.1: *The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.*

Policy 3.2.2: *The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.*

Policy 3.2.3: *The City shall prohibit the expansion or replacement of commercial uses that do not meet applicable locational criteria of the 2030 Comprehensive Plan and have an adverse impact on adjoining or nearby uses. Consider office and high density residential development as a viable alternative in land use reviews.*

Policy 3.2.4: *The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not*

encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

Policy 3.2.7: The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

Objective 6.3: The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The site will be connected to the City of Atlantic Beach water and sewer service, as noted in the availability letter attached herein. The site is located along the Mayport Road corridor (State Road A1A), which is noted for many automotive sales and other automotive related uses. The site is adjacent to both highway oriented commercial zoning districts, as well as single family residential, much of which is in the City of Atlantic Beach. Any commercial use will be required to provide buffers and visual screening adjacent to the residential, as specified in subpart 12 (landscaping) of the Zoning Code.

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 will be rezoned from CRO to CCG-1 & CCG-2 zoning district as set forth in Section 656.313 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

The subject property is located on the east side of State Road A1A (Mayport Road). The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	PBF / LDR	PBF-1 / RLD-60	Residential / Golf Course (City of Atlantic Beach)
East	CGC	CCG-2	Residential / Golf Course (City of Atlantic Beach)
South	CGC/MDR	CCG-2/RMD-A	Single Family/Vacant Commercial
West	CGC	GGC-2/CCG-1	Automotive Sales /Vacant Commercial

The property is two parcels located behind commercial property with frontage on Mayport Road (State Road A1A). The property is adjacent to the Atlantic Beach Country Club, with a majority of the property abutting the golf course. There are several parcels of residential property adjacent to the north, along Mayport Road. Based on discussions with the Applicant at the Arlington / Beaches CPAC, and conversations the applicant had with the adjoining country club residents in Atlantic Beach, the applicant is proposing to reduce the requested land use and zoning amendment to include just the area needed for the construction of the new collision repair facility. Additionally, they are proposing to leave the remainder of the property adjacent to the country club and other residential areas to the north in a natural vegetative state, and record a conservation easement to preserve the natural buffer. The applicant will supply a new legal description at the time of the hearing.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on June 30, 2016, 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 **2016-0391** be **APPROVED**.



Aerial

*Source: Staff, Planning and Development Department
Date: June 30, 2016*



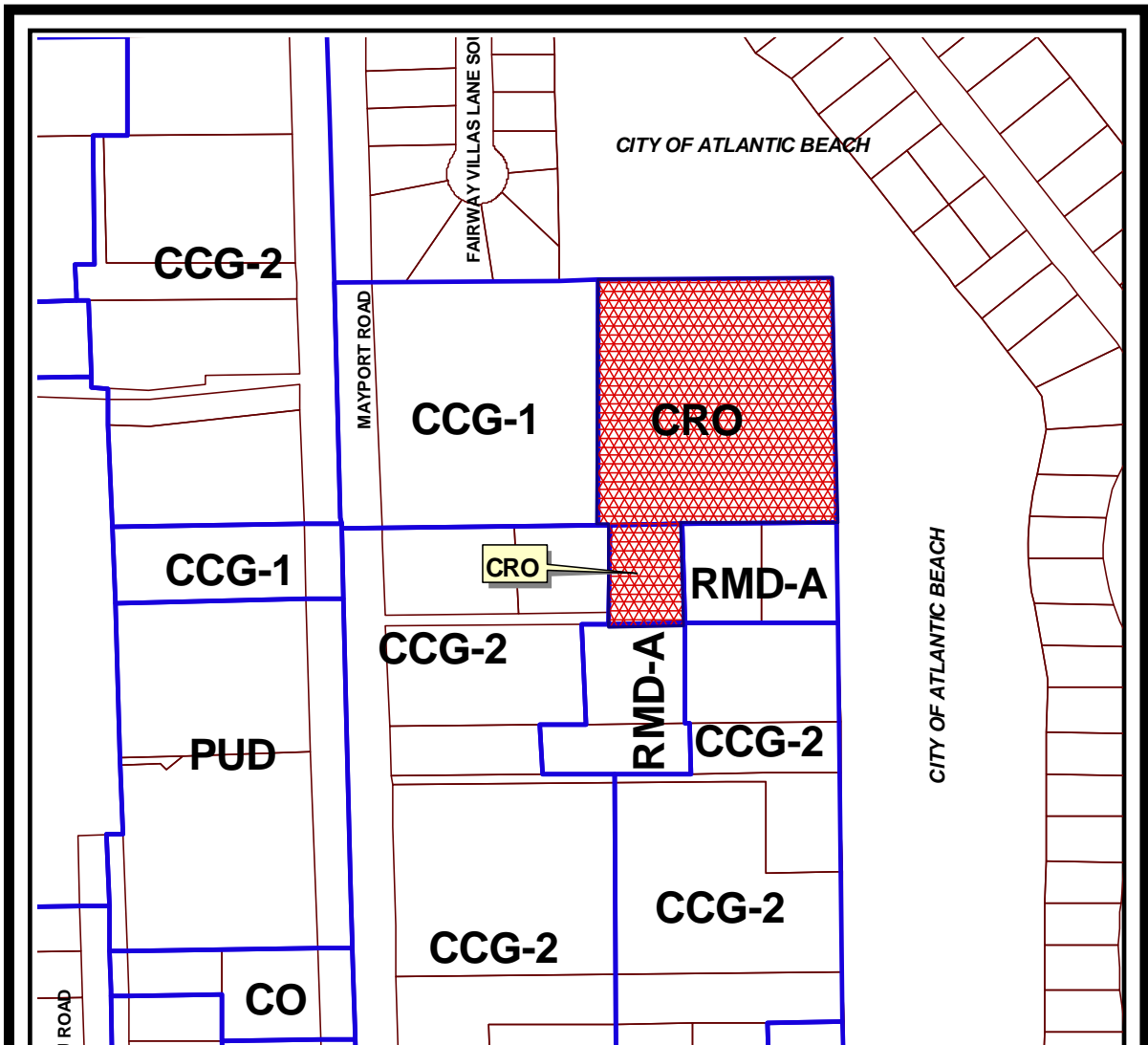
Subject property

*Source: Staff, Planning and Development Department
Date: June 30, 2016*



Automotive Sales, across Mayport Road

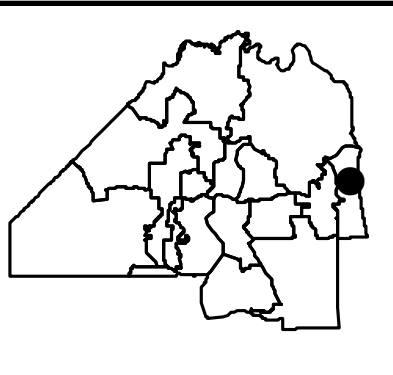
*Source: Staff, Planning and Development Department
Date: June 30, 2016*



REQUEST:

FROM: CRO

TO: CCG-1 & CCG-2



COUNCIL DISTRICT:
13

ORDINANCE NUMBER:
ORD-2016-0391

TRACKING NUMBER:
T-2015-1143

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