

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

**APPLICATION FOR REZONING ORDINANCE 2016-0473**

**AUGUST 18, 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 **2016-0473**.

***Location:*** 0 Parker Avenue & 125 Zoo Parkway,  
between Zoo Parkway and Parker Avenue

***Real Estate Numbers:*** 022167-0000 & 022169-0000

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

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

***Current Land Use Category:*** Community / General Commercial

***Planning District:*** North, District 6

***Planning Commissioner:*** Marshall Adkison

***City Council District:*** The Honorable Reggie Gaffney, District 7

***Applicant/Agent:*** Lara Hipps  
Hipps Group INC.  
1650 Margaret Street #323  
Jacksonville, FL 32204

***Owner:*** William Gothe  
11852 Leafdale Circle West  
Jacksonville, FL 32218

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

### **GENERAL INFORMATION**

Application for Rezoning Ordinance 2016-0473 seeks to rezone 0.67 acres from Commercial Community /General -1 to Commercial Community / General – 2. The property is located in the CGC land use category in the Suburban Development Area. The CCG-2 zoning district is a primary district within the CGC land use category and is one of the more intense commercial districts within that category. The property is located within the Heckscher Drive Community Club and Eden Group Association but not within a neighborhood action plan area. The site fronts onto Zoo Parkway which is classified as a minor arterial roadway according to the 2030 Comprehensive Plan Functional Highway Classification Map and Parker Avenue, a local road. The site is also located within the Industrial Situational Compatibility Zone. The property is comprised of two parcels, one of which is currently occupied by a mobile home, while the other is vacant. The property is located at the intersection of Parker Avenue and Zoo Parkway. At this intersection there is a gas station and convenience store, as well as a large service gate into the Jacksonville Zoo. There is also a JTA bust stop located adjacent to the vacant parcel related to this application.

### **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 CGC functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. Community General Commercial (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. Both the CCG-1 and CCG-2 districts are primary zoning districts within the CGC land use category.

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

The proposed amendment is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Goal 1: *To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.*

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.*

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 3.2.29: *The City shall continue to update its comprehensive inventory and mapping of industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long term economic well-being of the City and are identified on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational compatibility”.*

Policy 3.2.30 *The area shown on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational Compatibility” are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.*

The proposed amendment is consistent with the following objectives, policies and goals of the Infrastructure Element Sanitary Sewer Sub-Element of the 2030 Comprehensive Plan

Policy 1.2.6: *Within the Suburban Boundary Map as defined in the Future Land Use and Capital Improvements Elements, new septic tanks will be forbidden pursuant to the Septic Environmental Protection Board – Rule 3; however, they may be permitted as interim facilities, provided the following requirements are satisfied:*

The subject site is currently served by public water and sewer. Any future development would be required to connect to public utilities. The proposed rezoning is located in the CGC land use category. The site is also located in the Industrial Situational Capability area. The proposed rezoning would allow for commercial infill in an area comprised of a

mix of commercial, residential and institutional uses. Residential uses are not recommended in the Industrial Situational Capability Area, and allowing this property to develop for CCG-2 uses would be more consistent with the intent of the Industrial Compatibility Area. Additionally, there is a large area in the Light Industrial land use category adjacent, to the north. Residential uses, and even some light commercial uses would not be completely compatible adjacent to industrial uses.

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 the City's land use regulations. The subject property will be rezoned from CCG-1 to CCG-2.

### SURROUNDING LAND USE AND ZONING

The subject property is located on north side of Zoo Parkway, at the intersection of Zoo parkway and Parker Avenue. The surrounding uses, land use category and zoning are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	LI	IL	Warehouse
East	CGC	CCG-2	Retail / Gas Station
South	CGC	CO	Vacant / Zoo
West	CGC / ROS	CCG-1	Residential

The subject site is currently comprised of a vacant parcel and one occupied by a mobile home. The surrounding area is a mix of residential, commercial, industrial and institutional uses. The proposed rezoning is compatible with the surrounding land use categories and zoning districts. Additionally, two of the remaining three corners of the intersection of Zoo Parkway and Parker Avenue are non-residential and commercial uses. A change in zoning district from CCG-1 to CCG-2 would be more compatible with the Industrial Compatibility Area, as well as the retail use to the east, and the warehouse use to the north.

### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on July 31, 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 **2016-0473** be **APPROVED**.



**Aerial**

*Source: Staff, Planning and Development Department*

*Date: July 31, 2016*



**Subject property**

*Source: Staff, Planning and Development Department*

*Date: July 31, 2016*



**Jacksonville Zoo service entrance at the intersection of Parker Avenue and Zoo Parkway**

*Source: Staff, Planning and Development Department*

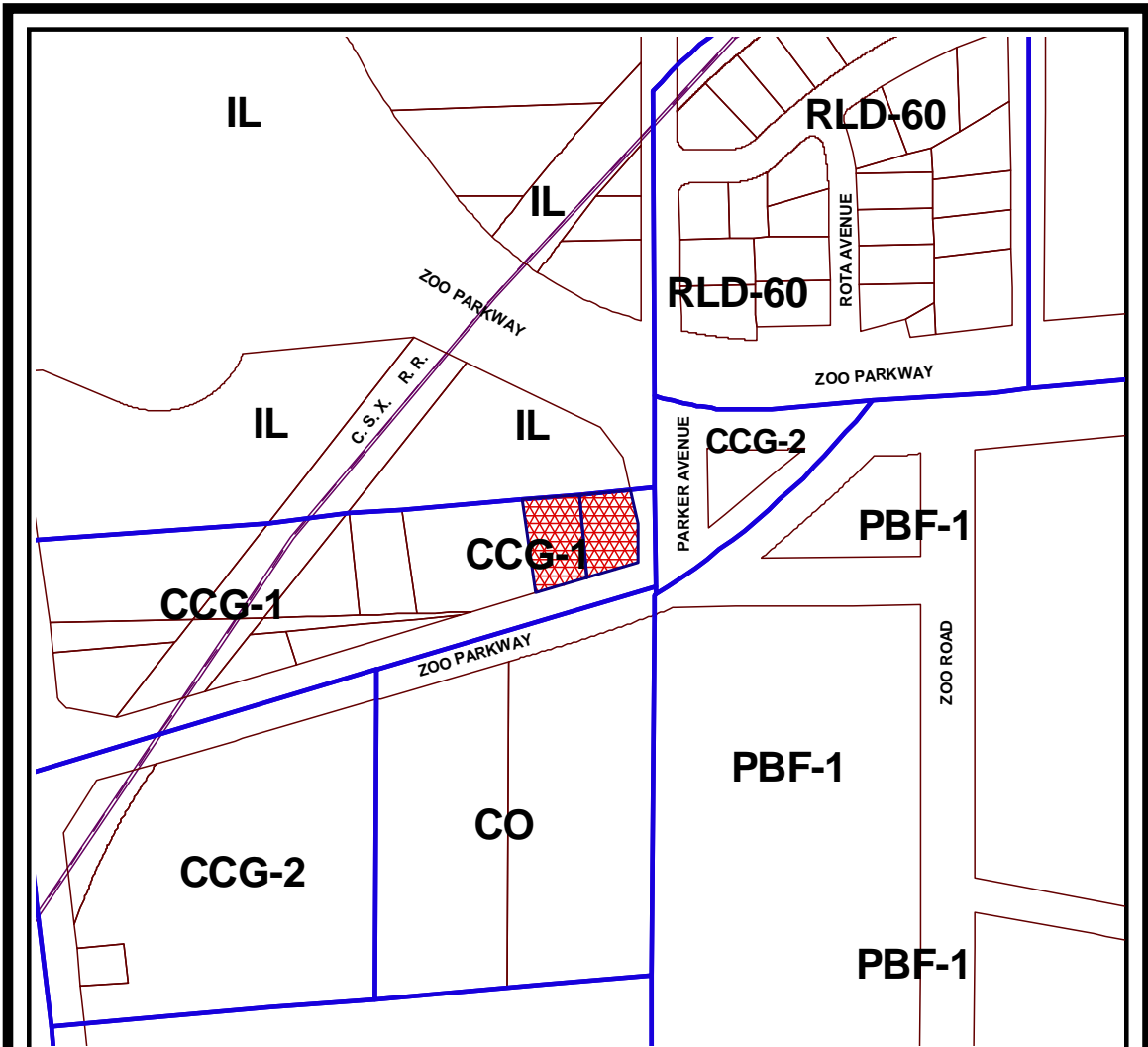
*Date: July 31, 2016*



**Retail gas station & convenience store at the intersection of Parker Avenue and Zoo Parkway**

*Source: Staff, Planning and Development Department*

*Date: July 31, 2016*



<b>REQUEST:</b>		
<b>FROM:</b> CCG-1		<b>COUNCIL DISTRICT:</b> <b>07</b>
<b>TO:</b> CCG-2	<b>TRACKING NUMBER:</b> T-2016-1132	Page 1 of 1
<b>ORDINANCE NUMBER:</b> ORD-2016-0473		