

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

**APPLICATION FOR REZONING ORDINANCE 2017-0218**

**APRIL 20, 2017**

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 **2017-0218**.

<b><i>Location:</i></b>	0 Beaver Street West (US 90); on the north side of Beaver Street between Ednalee Avenue and Celery Avenue
<b><i>Real Estate Number:</i></b>	006576 2000
<b><i>Current Zoning District:</i></b>	Residential Rural-Acre (RR-ACRE)
<b><i>Proposed Zoning District:</i></b>	Industrial Business Park (IBP) and Conservation (CSV)
<b><i>Current Land Use Category:</i></b>	Low Density Residential (LDR)
<b><i>Proposed Land Use Category:</i></b>	Business Park (BP)
<b><i>Planning District:</i></b>	Northwest, 5
<b><i>Planning Commissioner:</i></b>	Ben Davis
<b><i>City Council District:</i></b>	The Honorable Doyle Carter, District 12
<b><i>Applicant:</i></b>	Ellis Mask North Florida Land Management PO Box 37398 Jacksonville, Florida 32236
<b><i>Owner:</i></b>	Daniel Thomas 3207 Coral Ridge Drive Coral Springs, Florida 33065
<b><i>Staff Recommendation:</i></b>	<b>APPROVE</b>

## **GENERAL INFORMATION**

Application for Rezoning Ordinance **2017-0218** seeks to rezone 9.67 acres of land from RR-ACRE to IBP and CSV. There is a companion small scale land use amendment 2017C-003 (2017-0217) that seeks to amend the property from the Low Density Residential (LDR) to the Business Park (BP) Land Use category. The applicant is requesting this zoning change from rural residential to IBP and CSV in order to construct a storage facility. The northern 5.67 acres of the site contain wetlands will be designated CSV. The property is currently undeveloped.

According to the Capital Improvements Element of the 2030 Comprehensive Plan, the site is located within the "Urban Area" of the City. The proposed land use will not have a residential component in its request. Therefore there is no school capacity issues related to the proposed land use amendment. The subject site is within the boundaries of the Northwest Jacksonville Vision Plan. However, the Plan does not identify specific recommendations for the subject site nor does it address industrial uses specifically for the site. The vision plan does call for screening areas for any truck parking and the present tree screening along the boundaries of the property will aid in the vegetative buffering along Beaver Street and adjacent properties. Therefore, the proposed application that includes storage in a BP land use category is consistent with the vision plan of Northwest Jacksonville

## **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 Low Density Residential (LDR) functional land use category. There is a companion small scale land use amendment 2017C-003 which seeks to amend the property from Low Density Residential (LDR) to Business Park (BP).

The BP Future Land Use Category is intended to accommodate commercial office and light industrial uses. Commercial offices should comprise the majority of the category land area, while service, major institutional and light industrial uses constitute the

remaining land area. The Planning Department recommends that companion Small Scale Land Use Amendment Application 2017C-003 be **APPROVED**.

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

Yes. The proposed application has been reviewed in relation to and is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Future Land Use Element

*FLUE 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.

*FLUE 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.

*FLUE Policy 1.1.24* The City will encourage new development to locate in the Urban Core, Southwest, North, and Northwest Planning districts through such measures, as economic incentives, greater marketing assistance, etc.

*FLUE Policy 1.5.14* In accordance with the Conservation and Coastal Management Element, the City shall encourage environmentally sensitive areas to be placed in a Conservation land use category, Conservation zoning district, and/or conservation easement.

*FLUE 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.

*FLUE 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.

*FLUE 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.

*FLUE 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

*FLUE Policy 3.2.18* The City shall permit business parks in locations adjacent to, or near, residential areas, subject to Development Areas and the Plan Category Descriptions of the Operative Provisions and applicable Land Development Regulations.

*FLUE 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”.

The proposed rezoning has been identified and as being related to the following issues identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application has been evaluated for consistency with the following issues and related goals, objectives and/or policies:

Utility Capacity

Currently the amendment site is vacant and would be served by city water. According to the JEA availability letter, the closest sewer connection is approximately ½ mile east of the site. The calculations to determine the water and sewer flows contained in this report and/or this spreadsheet have been established by the City of Jacksonville Planning and Development Department and have been adopted by JEA solely for the purpose of preparing this report and/or this spreadsheet. The method of calculating water and sewer flows in order to properly size infrastructure shall continue to be based on JEA’s Water, Sewer and Reuse for New Development Projects document (latest edition).

Infrastructure Element, Sanitary Sewer Sub-Element

Policy 1.2.3 The City shall not permit septic tanks for the disposal or discharge of industrial wastes.

Future Land Use Element:

Policy 1.2.5 Existing septic tanks for estimated wastewater flows exceeding 600 gallons per day (gpd) shall connect to the collection system of a regional utility company provided that a facility abuts or is within 50 feet of the property.

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 1.2.11 Continue to deny development orders or permits until the applicant has demonstrated compliance with applicable federal, state and local requirements for wastewater collection and disposal, and potable water treatment and distribution.

According Florida Statutes Chapter 381 construction permits may not be issued for an onsite sewage treatment and disposal system in any area used or zoned for industrial or manufacturing

purposes where a publicly owned or investor owned sewage treatment system is available (located within one-fourth mile) or where the system will receive toxic, hazardous, or industrial waste. Buildings located in areas zoned or used for industrial or manufacturing purposes, when such buildings are to be served by onsite sewage treatment and disposal systems, must receive written approval from the Department of Health. Approvals will not be granted when the proposed use of the system is to dispose of toxic, hazardous, or industrial wastewater or toxic or hazardous chemicals. Once an onsite disposal system is permitted, the owner must obtain an annual system operating permit and change of use requires the owner or tenant to obtain a new annual system operating permit from the Department of Health.

### Wetlands

A wetlands survey map for this application site was created with the use of the City's GIS system, and photogrammetric analysis. According to the Florida Land Use Code Classification System (FLUCCS) the property is classified as "Wetland Forested Mixed" type wetlands. The wetlands of the site consisting of 4.78 acres is located at the northern and central portion of the land use amendment site and are part of a larger, isolated, 43.4 acre wetlands system on adjacent lands west and east of the property. The wetland system is also generally found at the 81 foot, above mean sea level, elevation and is classified as "Category III" type wetlands with a medium functional value due to its water filtration and water retention attenuation. The wetlands are isolated from any riverine system but eventually drain southeasterly towards the Ortega River, which then empties in the St. Johns River. Some of the extended wetland system has been impacted from surrounding development.

Alteration of any portion of this wetland from development will require an environmental resource permit with mitigation from the St. Johns River Water Management District. Presently, there are no permits issued or sought for the application site. However, the applicant proposes to place a large portion of the application site consisting of wetlands in the Conservation land use category.

The United States Department of Agriculture, Natural Resource Conservation Service "Soil Survey" classifies the wetlands as Evergreen-Wesconnett complex and Lynn Haven fine sand. The Evergreen series consists of nearly level, very poorly drained soils formed in decomposed organic materials underlain by thick sandy marine sediments. The Wesconnett series are also very poorly drained soils but formed in thick sandy marine sediments and often intermingled with Evergreen soils. The high water table for the Evergreen-Wesconnett complex is at or above the land surface during long time periods. The Lynn Haven series consists of nearly level and gently sloping, very poorly drain soils formed in thick beds of sandy marine sediments. They are found on flats and in seep areas of side slopes. Generally, the high water table is at or near the ground surface.

Proposed amendment analysis in relation to the Goals, Objectives and Policy of the 2030 Comprehensive Plan, Conservation Coastal Management Element (CCME):

Objective 2.7 The City shall protect the hydrological and ecological benefits of flood plain areas, such as water quality, fish and wildlife habitat, and prevention of downstream flooding.

Goal 4 To achieve no further net loss of the natural functions of the City's remaining wetlands, improve the quality of the City's wetland resources over the long-term and improve the water quality and fish and wildlife values of wetlands.

Objective 4.1 The City shall protect and conserve the natural functions of its existing wetlands, including estuarine marshes.

Policy 4.4.1 The City shall encourage the placement of all watercourses, water bodies, buffer areas, and wetlands having high functional values to be placed in a Conservation land use category, Conservation zoning district and/or conservation easement as part of an application for a land use amendment, rezoning and/or site plan approval process.

#### Airport Environment Zone

The site is located within the 150 foot Height and Hazard Zone for the OLF Whitehouse Naval Air Station. Zoning will limit development to a maximum height of less than 150', unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.10051(d).

#### Future Land Use Element

Objective 2.5 Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities

The proposed amendment is consistent with Policy 1.1.22 because it allows for light industrial development to be located near other existing industrial use areas insuring compact land use patterns, discouraging sprawl and providing the requisite amount of land to accommodate anticipated growth of the area. In addition, this amendment maintains an increasingly efficient urban service delivery. It is also consistent with Policy 1.1.24 in that it promotes new development in the Northwest Planning District. There is a growing demand for industrial lands in this area as the City's industrial base continues to expand.

Although some industries produce adverse impacts, and should therefore be isolated away from residential and other low intensity use areas, many industrial uses can exist in harmony with non-industrial neighbors through proper site design, arrangement of uses and the incorporation of effective buffers. Business parks, for example, may include such light industrial uses as research and product development, communications facilities, light assembly and manufacturing, and even some types of warehousing. The subject property is located on a principle arterial roadway, and located in an area with a mix of residential and non-residential uses such as warehouses, outdoor storage, manufacturing, and gas stations. Therefore, the proposed amendment is consistent with the intent of the BP Future Land Use Category.

The proposed site is on the north side of Beaver Street and does not intrude on the established residential area north or east of the property nor does it set a precedent for other industrial uses to intrude within the existing residential areas thereby being consistent with Policy 3.2.18. In addition, the Business Park Land Use Category of the Future Land Use Element has a special section entitled BP-General Neighborhood Protection which sets out design techniques that must be implemented when industrial uses are adjacent and abutting residential neighborhoods. The zoning review process achieves the intent of Policy 1.1.10 and 3.1.3.

There is a growing demand for industrial lands in this area as the City's industrial base continues to expand. The pattern of development in this area is moving toward more industrial uses. In addition, the property is located along a principal roadway that serves a significant number of other industrial land uses in the surrounding area. The proposed industrial use enhances the viability of this parcel while being consistent with the proposed FLUE Objective 3.2 and Policy 3.2.29.

BP amendments requests are preferred in locations which are supplied with full urban services and have access to roads classified as arterial or higher. The subject property has access to water but not to sewer. It is located on Beaver Street (U.S. 90) which is a principal roadway and used heavily by trucks. The amendment is consistent with Policy 3.2.1 which states the City shall promote commercial uses in the form of corridor development.

The wetlands on the north end of the property provide a large buffer from the residential development to the north thus protecting the neighborhood from potential negative impacts. By placing the environmentally sensitive areas in the Conservation land use category, the amendment is consistent with Policy 1.5.14.

**3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?***

No. It is the opinion of the Planning and Development Department that the proposed rezoning will not be in conflict with any portion of the City's land use regulations. The proposed rezoning will allow for the use of the site for self-storage facility. There will be a small office with storage and parking for customers.

**SURROUNDING LAND USE AND ZONING**

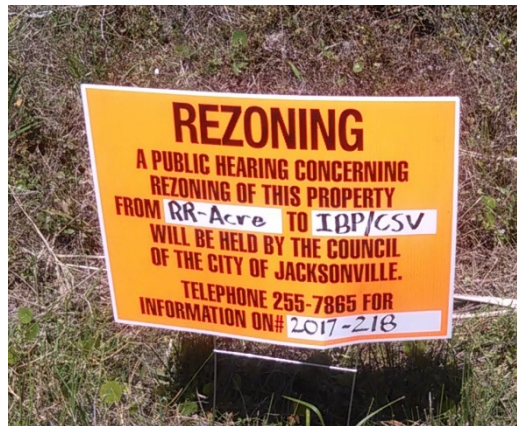
The surrounding uses, land use categories and zoning as follows:

<b>Adjacent Properties</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
North	LDR	RR-Acre	Single-family homes
South	LI/HI	RLD-60/IL/IH	Homes and Manufacturing facility
East	LDR	RR-Acre	Vacant
West	LDR	RR-Acre	Vacant

There are 7 lots to the south and east of the amendment site, which abut Beaver Street and contain single family homes and mobile homes. South of Beaver Street there is approximately a 100-foot strip of land that separates the railroad from Beaver Street. This property is industrial as well as the property on the south side of the railroad which are heavy industrial manufacturing businesses. They are located in an Industrial Situational Compatibility Zone. Approximately 0.5 miles past Chaffee Road is the large Industrial Sanctuary Zone encompassing Cecil Field. Beaver Street is located in the Urban Development Area, which runs along Beaver Street from downtown to Chaffee Road. When compared to other nearby two lane roads, Beaver Street has a much higher percentage of truck traffic according to Florida DOT traffic counts at 13.9 %. Less than 1 mile east of the site are two large Publix warehouses. The nearest on-ramp to I-10 is west at Chaffee Road. The predominant land uses along Beaver Street are light and heavy industrial with some commercial and pockets of low and medium density residential land uses. Even though the amendment site is surrounded by residential land uses on the north side of Beaver Street, the property to the east and west are large vacant parcels.

### **SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on March 30, 2017 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 **2017-0218** be **APPROVED**.





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





**The subject site facing north from Beaver St.**



**The subject site facing north from Beaver St.**

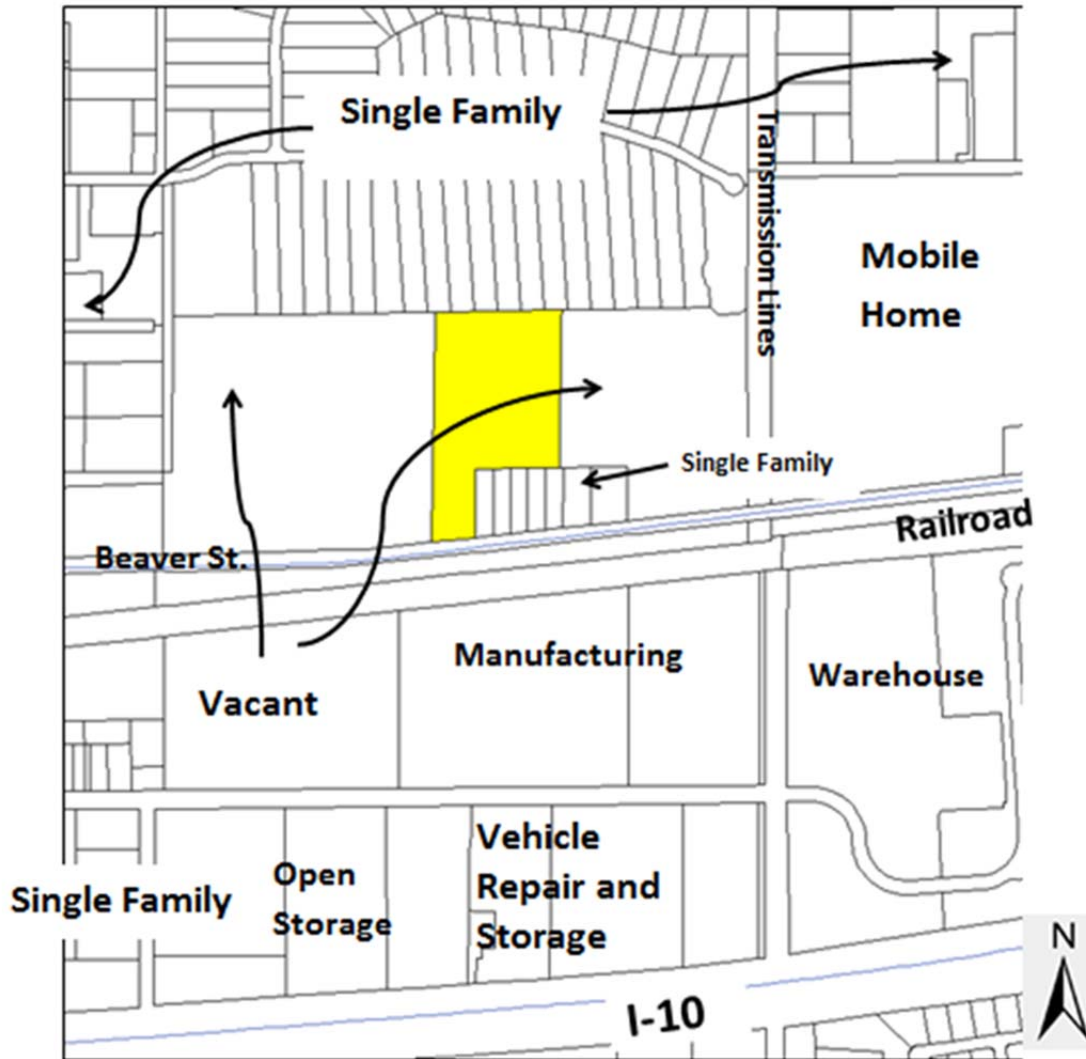


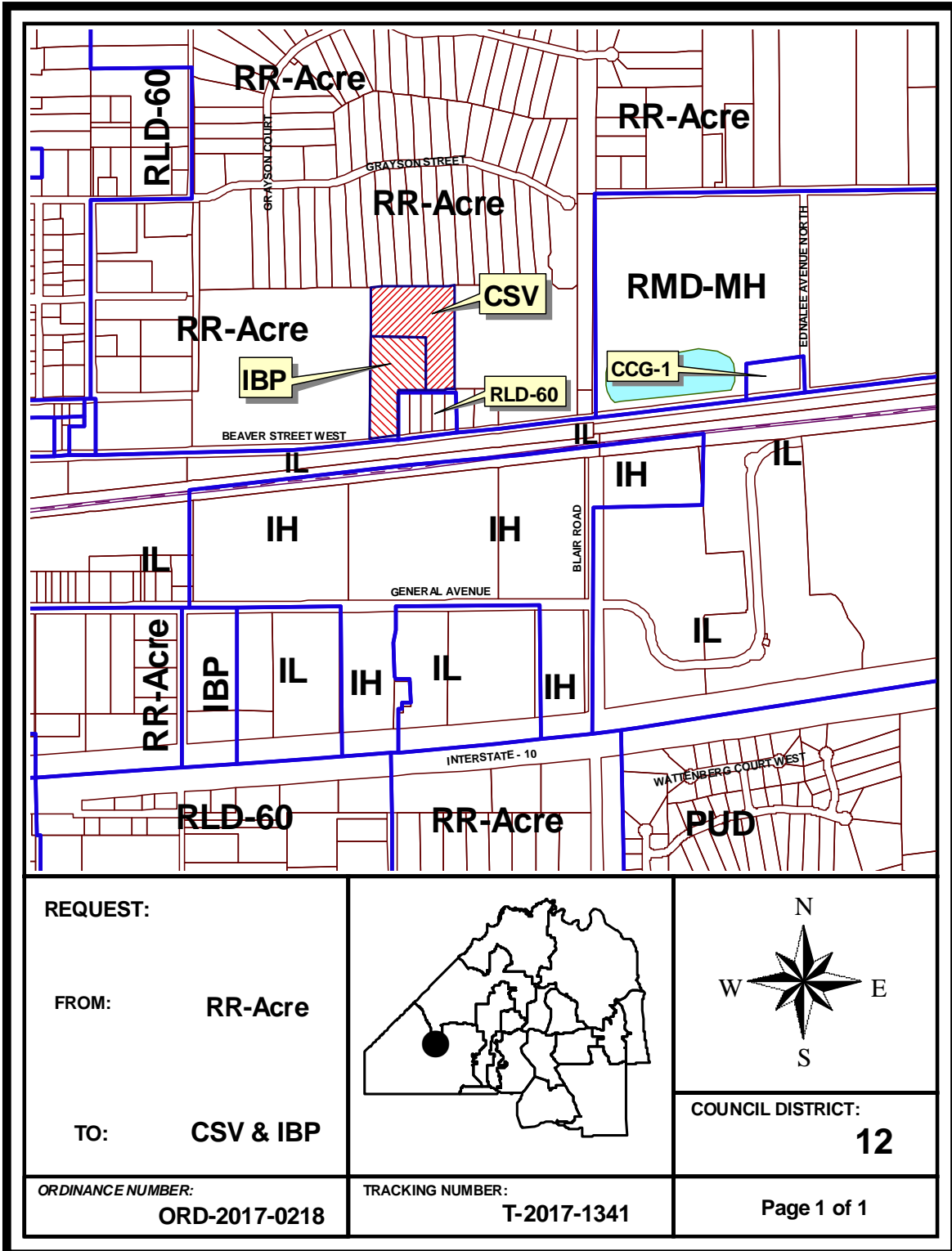
**The subject site on the left facing east along Beaver St.**





**The subject site on the right facing west along Beaver St.**





<p><b>REQUEST:</b></p>		<p>N W E S</p>
<p><b>FROM:</b> RR-Acre</p>		<p><b>COUNCIL DISTRICT:</b> <b>12</b></p>
<p><b>TO:</b> CSV &amp; IBP</p>		<p>Page 1 of 1</p>
<p><b>ORDINANCE NUMBER:</b> ORD-2017-0218</p>	<p><b>TRACKING NUMBER:</b> T-2017-1341</p>	