

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2017-0558

SEPTEMBER 7, 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 **2017-0558**.

Location: 9925 San Jose Boulevard
Southeast corner of San Jose Boulevard and San Jose Place

Real Estate Numbers: 149004 0050, 149004 0000

Current Zoning District: Commercial Office (CO)

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

Current Land Use Category: Community General Commercial (CGC)

Planning District: Southwest, District 3

Owners: 9925 San Jose, LLC
PO Box 56678
Jacksonville, FL 32241

Agent: Koko Head
Hakimian Holdings
7077 Bonneval Road, Suite 400
Jacksonville, FL 32216

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Ordinance **2017-0558** seeks to rezone approximately 0.95 acres of land from Commercial Office (CO) to Commercial Community General-1 (CCG-1) for the purpose of redeveloping the property for commercial uses that will expand the existing Merchant's Walk shopping center that is adjacent to the properties. The site is located in the Community General Commercial (CGC) functional land use category of the *2030 Comprehensive Plan* within the Urban Development Area. The property is currently developed with a one-story medical office building on one parcel and the other parcel is currently undeveloped.

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 to Zoning Code or rezoning of land*, 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*. The CGC land use category within the Urban Development Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Commercial retail sales and service establishments are a principle use in the CGC land use category in the Urban Area. Therefore the proposed use is generally consistent with the current land use designation of the subject property. The subject site is also located along San Joes Boulevard (SR13).

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 and policies of the Future Land Use Element (FLUE) of the *2030 Comprehensive Plan*:

Future Land Use Element (FLUE) 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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

FLUE Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenience 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.

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 3.2.2

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

The proposed exception has been identified as being related to the following issue identified in the *2030 Comprehensive Plan*.

Airport Environment Zone

The site is located within the 300 foot Height and Hazard Zone of the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of less than 300 feet 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).

FLUE Objective 2.5

Support and strengthen the role of the Jacksonville Aviation Authority and the United States Military in the local community, and recognized 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 subject site contains two lots, one of which has been previously developed in the southeast corner of San Jose Boulevard and San Jose Place. The site is immediately adjacent to existing commercial uses, including an existing shopping center. The proposed development of the site will tie directly into the immediately adjacent existing commercial shopping center. Development of this site for uses consistent with the CCG-1 Zoning District would serve as appropriate commercial infill on these parcels and would further provide a compact and compatible land use pattern, consistent with FLUE Goal 3 and Policies 1.2.9, and 3.2.2. Commercial development of the subject site would promote and sustain the viability of this existing commercial node and would offer

residents and employees in the area a more diverse range of services, consistent with FLUE Objective 3.2 and Policy 3.2.1.

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

No. The proposed rezoning to CCG-1 is not in conflict with any portion of the City's land use regulations. The proposed rezoning will allow for the expansion of the existing adjacent shopping center and will introduce new commercial uses that will be consistent with the CCG-1 zoning district. The property meets the requirements of the CCG-1 zoning district as set forth in Section. 656.312 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

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

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CGC	CCG-1	Commercial
East	RPI	CRO	Offices
South	CGC	CCG-1	Shopping Center
West	CGC	CCG-1	Commercial

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on August 15, 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 **2017-0558** be **APPROVED**.



Aerial

*Source: Staff, Planning and Development Department
Date: 08.08.2017*



Subject property
Source: Staff, Planning and Development Department
Date: 08.15.2017



Subject property
Source: Staff, Planning and Development Department
Date: 08.15.2017



Adjoining shopping center to the south
Source: Google StreetView
Date: 08.15.2017



Adjoining commercial/office to north
Source: Staff, Planning and Development Department
Date: 08.15.2017



Commercial across San Jose Place

Source: Google StreetView

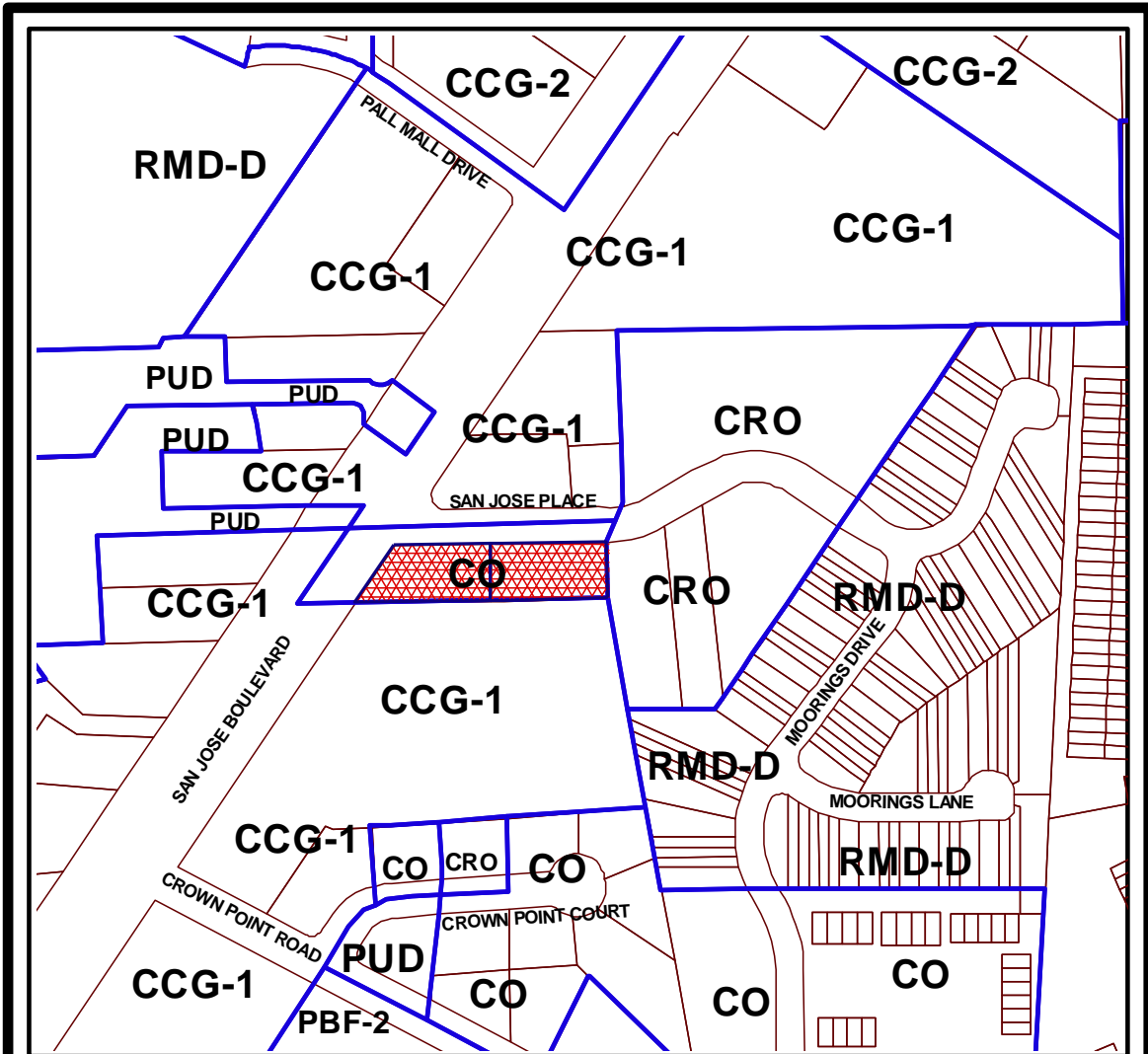
Date: 08.15.2017



Commercial across San Jose Boulevard

Source: Google StreetView

Date: 08.15.2017



<p>REQUEST:</p> <p>FROM: CO</p> <p>TO: CCG-1</p>		<p>N</p> <p>W E</p> <p>S</p>
<p>ORDINANCE NUMBER: ORD-2017-0558</p>	<p>TRACKING NUMBER: T-2017-1510</p>	<p>COUNCIL DISTRICT: 06</p> <p>Page 1 of 1</p>