

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2017-0830

JANUARY 18, 2018

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 **2017-0830**.

<i>Location:</i>	0 Hogan Road; 0 Foster Drive North of Hogan Road and West of Foster Drive
<i>Real Estate Numbers:</i>	136956 0100 portion of; 136970 0000 portion of
<i>Current Zoning District:</i>	Residential Low Density-60 (RLD-60)
<i>Proposed Zoning District:</i>	Commercial Community General-2 (CCG-2)
<i>Current Land Use Category:</i>	Low Density Residential (LDR) Residential Professional Institutional (RPI)
<i>Proposed Land Use Category:</i>	Community General Commercial (CGC)
<i>Planning District:</i>	Southeast, District 3
<i>Applicant/Agent:</i>	Paul Harden, Esq. 501 Riverside Avenue, Suite 901 Jacksonville, Florida 32202
<i>Owner:</i>	Joseph Robinson 1132 Rio Saint Johns Road Jacksonville, Florida 32211
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2017-0830** seeks to rezone 1.63 acres of land from the Residential Low Density-60 (RLD-60) to Commercial Community General-2 (CCG-2). The applicant is requesting the rezoning to allow the property to be contiguously zoned with his existing business to the north of the subject parcels.

There is a companion Application for Small Scale Land Use Amendment to the Future Land Use Map Series of the 2030 Comprehensive Plan, **Ordinance 2017-0829 (Application 2017C-025)** to change the functional land use category of the subject property from Low Density Residential (LDR) and Residential Professional Institutional (RPI) to Community General Commercial

(CGC). This rezoning and companion land use amendment would make the land use and zoning consistent with all continuous properties owned by the property owner.

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 currently located in the Low Density Residential (LDR) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. However, a companion Application for Small Scale Land Use Amendment to Future Land Use Map Series-2030 Comprehensive Plan, i.e. Ordinance 2017-00829 (Application 2017C-025) was filed requesting amendment of the subject property's functional land use category from LDR to CGC. The proposed CCG-2 zoning district is a primary zoning district within the CGC functional land use category, and the subject property meets the primary criteria and standards. If the amendment is adopted by the City Council, this Application for Rezoning from RLD-60 to CCG-2 will be 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.

According to the category description of the Future Land Use Element (FLUE), the current designation of Low Density Residential (LDR) in the Urban Area is intended to provide for low density residential development. Principle uses include single-family and multi-family dwellings; commercial retail sales and service establishments when incorporated into mixed use developments which utilize the Traditional Neighborhood Development (TND) concept and such uses are limited to 25 percent of the TND site area; and other uses associated with and developed as an integral part of the TND. LDR also permits housing densities of up to seven (7) dwelling units per acre when full urban services are available.

The property owner is proposing to change the site's land use category to Community/Commercial General (CGC). The category is 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. Uses should generally be developed in nodal and corridor development patterns. Future land use amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as arterial or higher on the Functional Highway Classification Map and which are located in areas with an existing mix of non-residential uses. Commercial retail sales and service and business and professional offices are primary uses within CGC in the Urban Area.

The property owner is requesting a rezoning from RLD-60 to CCG-2 to bring the approximately 1.63 acre site into compliance with its current usage. The site is being used for outdoor vehicle and heavy equipment storage by the electrical systems business to the north of the site. The subject site and the contiguous commercial parcels to the north are owned by the same owner. The approximately 1.63 acre amendment site is located near the intersection of Hogan Road, a collector roadway, and Foster Drive, a local road. The site is approximately 950 feet south of Beach Boulevard (SR 212), a principle arterial roadway. The business controlling the amendment site currently has an access driveway on Foster Drive that is directly north of the site and is heavily used by the business' work vehicles.

The area surrounding the amendment site is a mix of single-family residential, institutional, and commercial service, office, and warehouse uses. In general, there are single-family residences to the east of the site on Foster Drive and south of it along Hogan Road. There are a variety of commercial uses to the north of the site along Foster Drive towards the terminus at Beach Boulevard. The site is adjacent to Hogan Road Baptist Church and is in close proximity to Foster Drive Baptist Church.

Therefore, the proposed rezoning 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 has been reviewed per and found to be 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) 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.

FLUE Policy 1.1.10

Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieve through zoning and development review process.

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 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.

FLUE 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.

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 4.1.8B

The City shall evaluate all proposed amendments to the Comprehensive Plan as to their compliance with the area's vision plan and any existing neighborhood plans and studies. Priority shall be given to those amendments with the greatest potential to further the goals and objectives of the vision plans and neighborhood plans and studies.

FLUE 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.

Transportation Element (TE) Policy 2.3.8

The City shall encourage, through the development review process, development that will minimize external trip generation, through the integration of land uses by requiring such measures as interconnecting land uses, sharing access drives and off-street parking areas, and encouraging planned unit developments. The City's Land Development Regulations shall be revised as necessary to enforce this policy.

TE Policy 2.3.9

The City shall encourage, through the development review process, the interconnection of land uses that reduce the need for external trip generation and encourage alternative methods of movements. The City's Land Development Regulations shall be revised as necessary to enforce this policy.

Recreation and Open Space (ROS) Element Policy 2.2.1

The City shall require that all new non-residential development land uses, except in the Central Business District, provide a minimum of 10% of the property in open space.

Vision Plan

The subject property is located within the study area of the 2010 *Southeast Vision Plan*. This proposed development is consistent with the fourth guiding principle of the Vision Plan: to provide for economic growth and to develop a strong and viable economic base. It is also consistent with Sub-principle 4.1.1, which encourages new growth to be developed in close proximity to existing economic generators and to take advantage of existing infrastructure.

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 redevelopment and re-use of an existing commercial property along a commercial corridor.

SURROUNDING LAND USE AND ZONING

The 1.63 acre subject property has access from both Hogan Road and Foster Drive. The surrounding uses, land use categories and zoning as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	CGC	CCG-2	Commercial
South	LDR	RLD-60	Single-family residential
East	LDR	RLD-60	Single-family residential
West	RPI	CRO	Church

While the southern and eastern borders of the property are immediately adjacent to single-family residential, the northern border of the property is immediately adjacent to commercially zoned property owned by the subject property owner. The proposed rezoning would allow the property

owner to formally use the immediately adjacent sections of the subject property with the existing commercial business. The new use would be buffered from the existing residential properties by Foster Drive and a section of property along Hogan Road that would remain RLD-60. As submitted, the proposed rezoning to CCG-2 will be reasonably consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on January 5, 2018 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 2017-0830 be **APPROVED**.



Aerial

*Source: Staff, Planning and Development Department
Date: 12.22.2017*



Subject Property along Foster Drive
Source: Staff, Planning and Development Department
Date: 01.05.2018



Subject Property along Hogan Road
Source: Google StreetView
Date: 01.05.2018



Adjoining properties to the south across Hogan Road

Source: Google StreetView

Date: 01.05.2018



Adjoining property to the northwest (along Hogan Road)

Source: Staff, Planning and Development Department

Date: 01.05.2018



Adjoining property to the southeast (along Hogan Road)

Source: Google StreetView

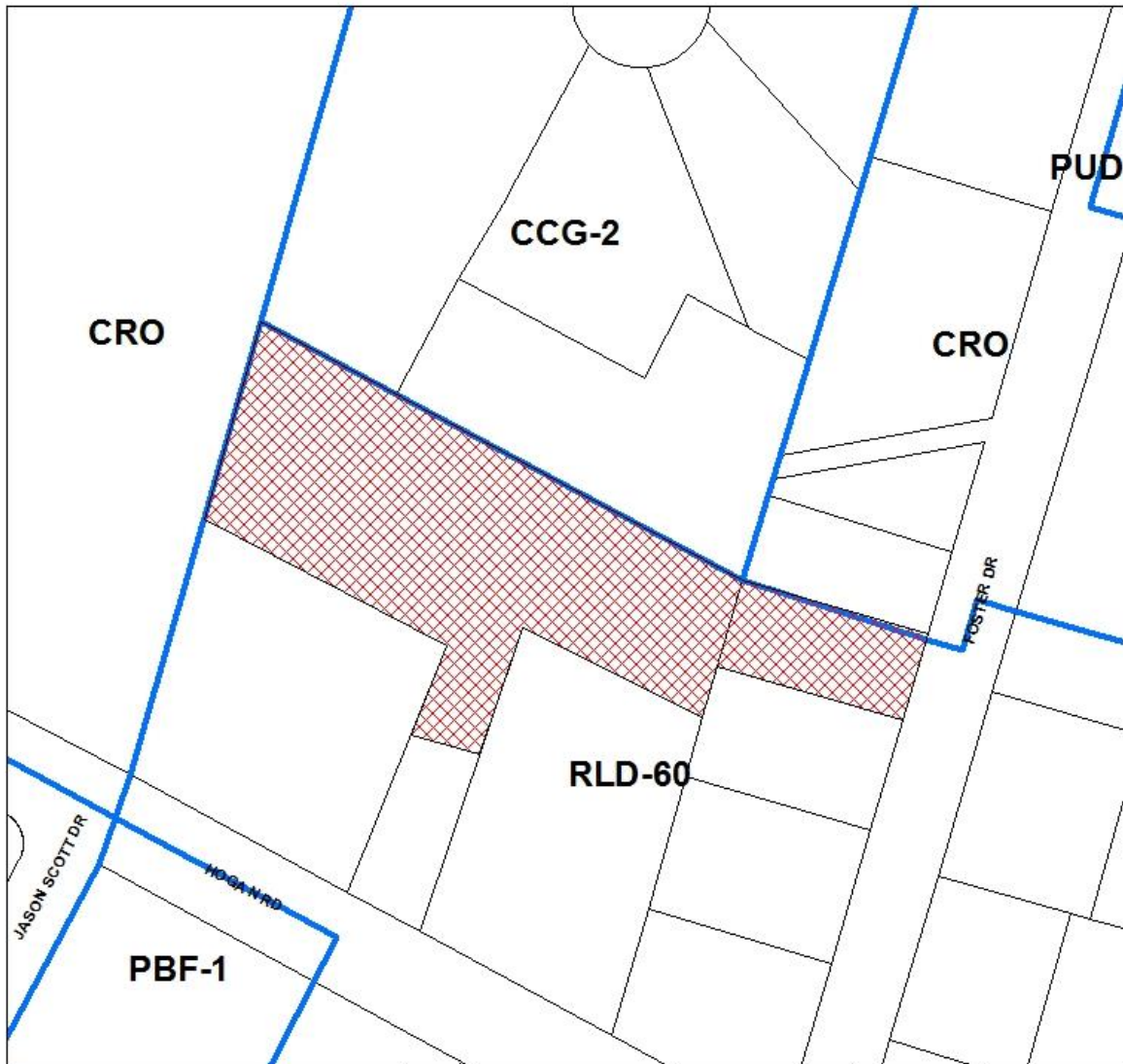
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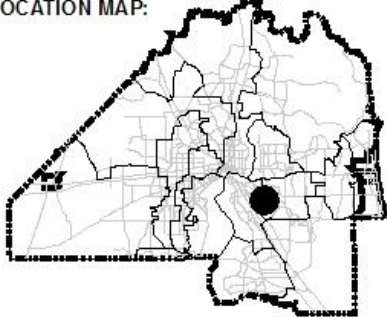
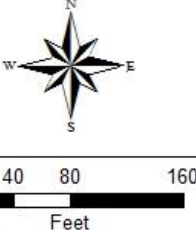


Adjoining property to the east across Foster Drive

Source: Google StreetView

Date: 01.05.2018



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60</p> <p>TO: CCG-2</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>4</p>
<p>ORDINANCE NUMBER:</p> <p>ORD-2017-0830</p>	<p>TRACKING NUMBER:</p> <p>T-2017-1565</p>	<p>PAGE 1 OF 1</p>