

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2018-0522

SEPTEMBER 6, 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 **2018-0522**.

Location: 1785 Emerson Street (SR 126)

Real Estate Numbers: 070003 0000

Current Zoning District: Commercial Office (CO)

Proposed Zoning District: Commercial Residential Office (CRO)

Current Land Use Category: Residential Professional Institutional (RPI)

Planning District: Southeast, District 3

Applicant/Agent: C. Brian Harbin
3924 Alcazar Avenue
Jacksonville, Florida 32207

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2018-0522** seeks to rezone a parcel, approximately .08 acres in size, from the CO to the CRO zoning district in order to allow the owner to rent the property to a more broad range of tenants. The subject property is located at the corner of Fleet Street and Emerson Street, just west of St. Augustine Road, and was originally developed with a single-family residence, although it is currently used as a commercial office. The area of Emerson Street east of where the property is located is characterized by a mixture of moderate- to high-intensity zoning districts that slowly transition into lower-intensity zoning further away from St. Augustine Road. The proposed zoning change will further the transitional effect of this zoning pattern.

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. The request is for a conventional rezoning from Commercial Office (CO) to Commercial Residential Office (CRO) in order to expand the uses permitted on the site. The subject site is located in the northeast corner of the intersection of Emerson Street, which is classified as a minor arterial road, and Fleet Street, a local road. The site has a land use designation of Residential-Professional-Institutional (RPI) within the Urban Development Area (UA) as identified on the Future Land Use Map series (FLUMs) within the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. The subject site is not located in any flood zone or Coastal High Hazard/Adaptation Action Area and contains no wetlands.

RPI in the UA is intended to provide compact medium density development. Development which includes medium density residential and professional office uses is preferred. Principal uses within the RPI in the UA include, but are not limited to, multi-family dwellings; business and professional office; financial institutions; and single-family dwellings which were originally constructed as single-family dwellings prior to the adoption of the 2010 Comprehensive Plan.

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

Yes, the proposed rezoning furthers the following goals, objectives, and policies of the 2030 Comprehensive Plan's Future Land Use Element:

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.

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 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Areas, 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 3.1.3

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

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 3.2.4

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.

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.

SURROUNDING LAND USE AND ZONING

The subject parcel is located at the corner of Emerson Street and Fleet Street, between St. Augustine Road and Hendricks Avenue.

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RLD-60	Single-Family Home
East	RPI	CO	Vacant
South	RPI	CO	Martial Arts Studio
West	RPI	CRO	Office

The properties immediately adjacent to the subject site are characterized by low-intensity commercial uses, with the exception of the property to the north, which has been developed with a single-family home.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on August 22, 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 **2018-0522** be **APPROVED**.



Aerial



Existing building on site



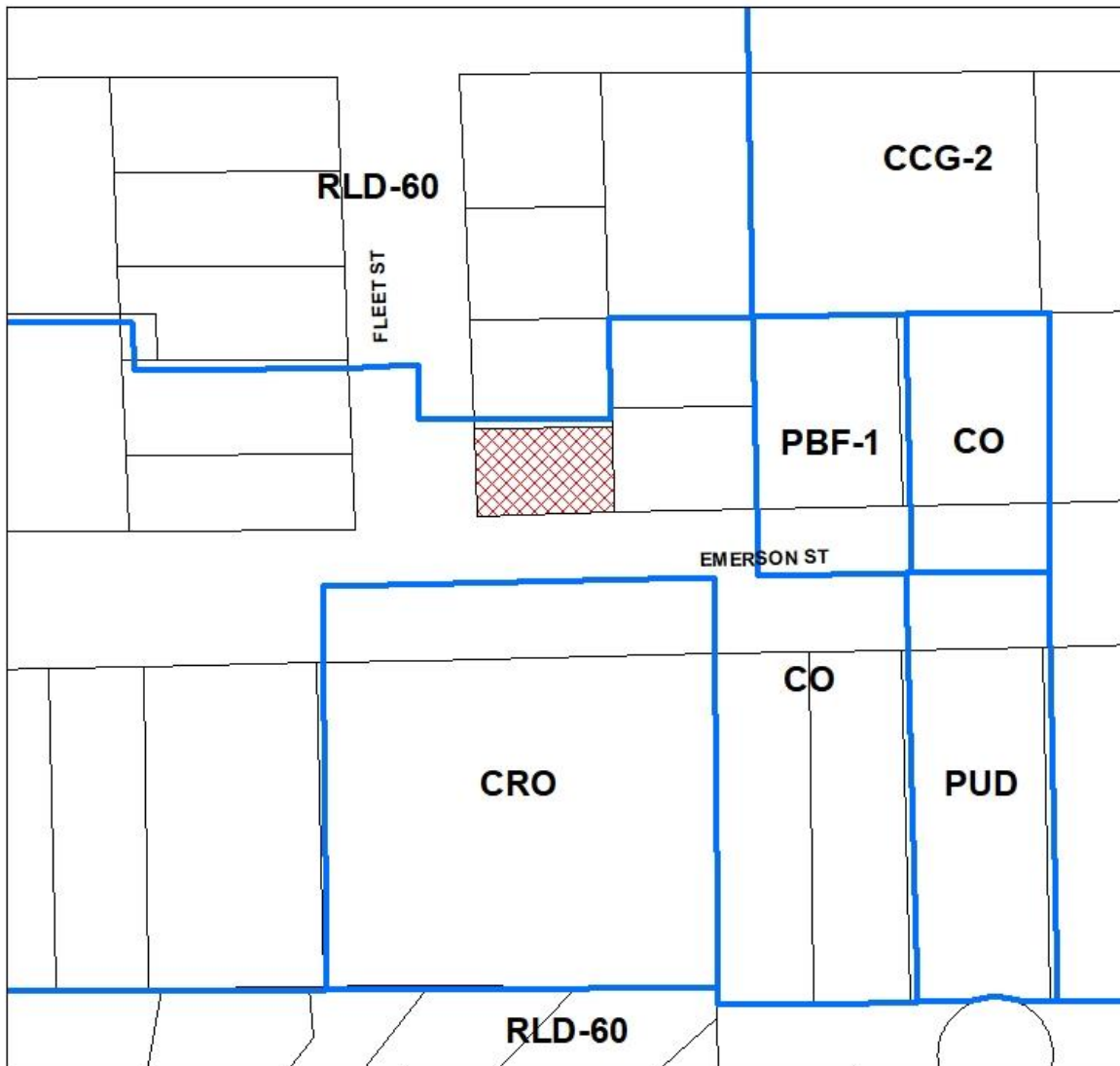
View across Fleet Street from subject site

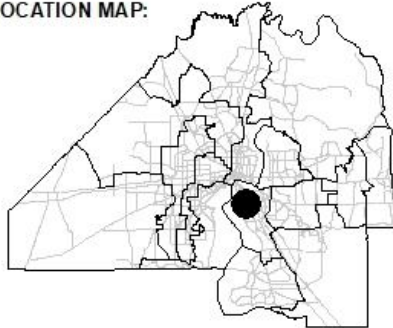
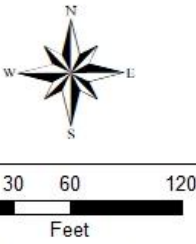


Single-family homes north of subject parcel



View south across Emerson Street from subject parcel



<p>REQUEST SOUGHT:</p> <p>FROM: CO TO: CRO</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER T-2018-1884</p>	 <p>COUNCIL DISTRICT: 5</p> <p>PAGE 1 OF 1</p>
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