

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2019-115**

**MARCH 21, 2019**

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 **2019-115**.

***Location:*** 0 Woodley Road; Between Murray Estates Lane and New Kings Road (US 1)

***Real Estate Number:*** 002520 0040

***Current Zoning District:*** Agriculture (AGR)

***Proposed Zoning District:*** Industrial Light (IL)

***Current Land Use Category:*** Agriculture-IV (AGR IV)

***Proposed Land Use Category:*** Light Industrial (LI)

***Planning District:*** District 6—North

***Applicant/Agent:*** Rey Zeledon  
181 SW Futch Place  
Fort White, Florida 32038

***Owners:*** Aries and D Investments LLC  
Noel Fernandez  
Joanda Arias  
1813 SW 104<sup>th</sup> Place  
Miami, Florida 33165

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2019-115** seeks to rezone 1.0± acres of a property from Agriculture (AGR) to Industrial Light (IL). The property is located in the Agriculture-IV (AGR IV) land use category within the Suburban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. Land Use Amendment application, L-5353-19C seeks to change the current land to use to Light Industrial. The request is being sought in order to allow for the

adjacent property to have more parking and outside storage. These uses are allowed in the current zoning district. The property is currently undeveloped and vacant open land.

### **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 the subject property to be 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.

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

Yes. The Planning and Development Department finds that the subject property is located in the AGR-IV functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5353-19C (Ordinance 2019-114) that seeks to amend the site that is within the AGR-IV land use category to LI. Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series L-5353-19C be approved. 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. A description of the category is noted below.

**To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:**

**Future Land Use Element**

**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. Plan and have an adverse impact on adjoining or nearby uses. Consider office and high density residential development as a viable alternative in land use reviews.

By allowing the rezoning of this property the owners of the adjacent property can grow business, allowing for more parking and outside storage. The subject property is buffered from residential properties by a 30 foot access easement. This is adequate buffer for the uses.

**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.

There are no existing area vision plans or neighborhood planes.

**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. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from AGR to IL in order to permit the for a parking lot and outside storage.

**SURROUNDING LAND USE AND ZONING**

The subject property has access along Woodley Road. Surrounding properties in the area range from Industrial uses and residential properties in the Agriculture zoning district. Typical single-family subdivisions are not common in this area west of New Kings Road. The proposed rezoning to IL would allow for the adjacent property to expand with an adequate buffer between residential uses. Adjacent land uses and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	AGR-IV	AGR	Vacant-grass lot
East	LI	IL	Warehouse
South	LI	IBP	Government utilities (JEA)
West	ACR-IV	AGR	Single Family Dwelling

It is the opinion of the Planning and Development Department that the requested rezoning to IL will be consistent and compatible with the surrounding uses.

### **SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on February 5, 2019 by the Planning and Development Department, 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 2019-115 be APPROVED.



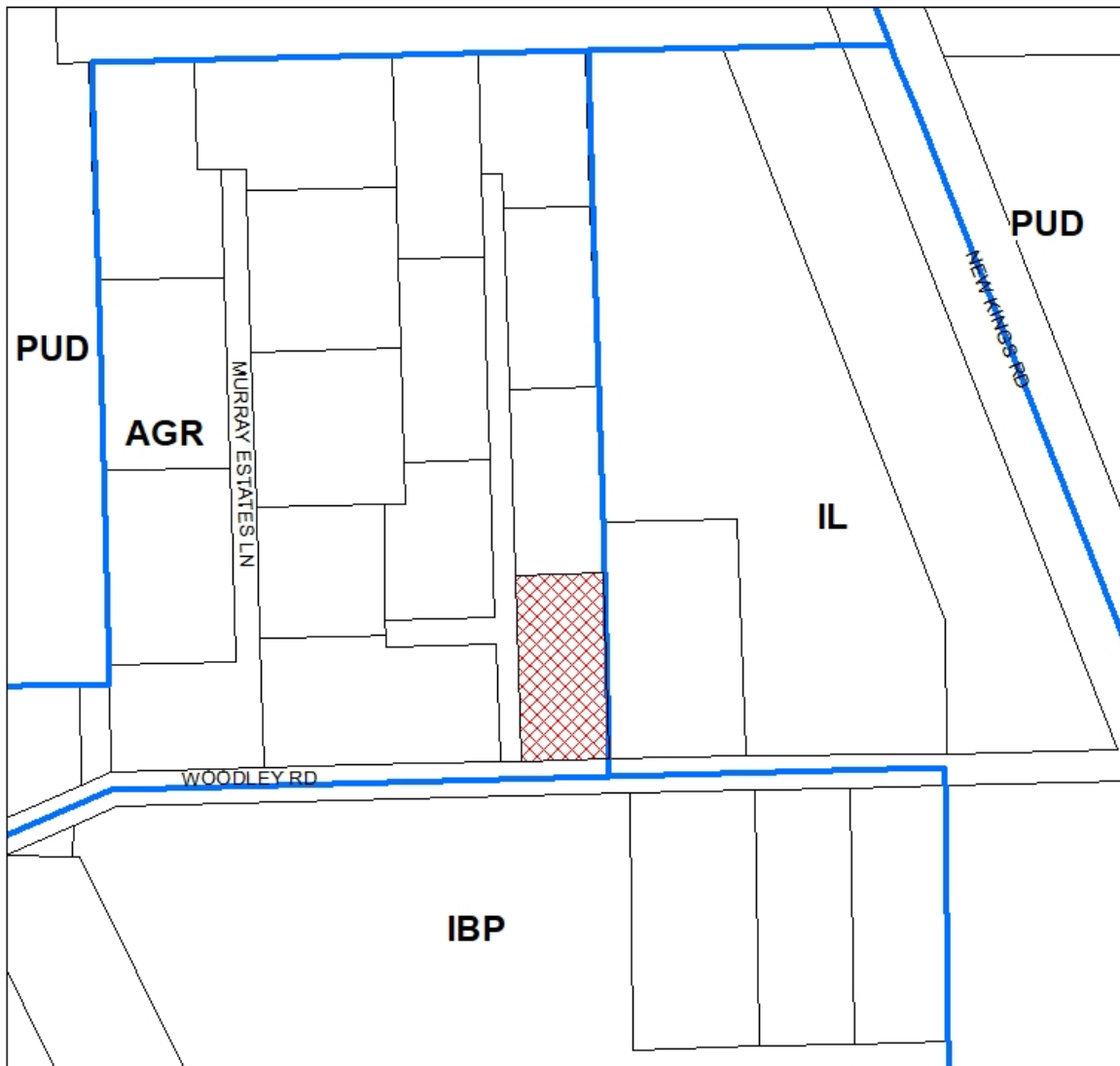
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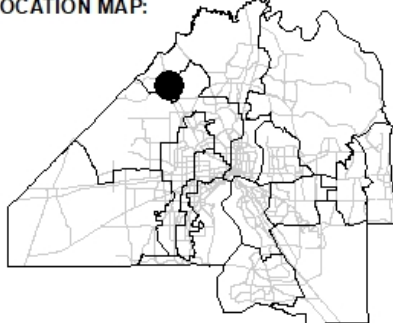
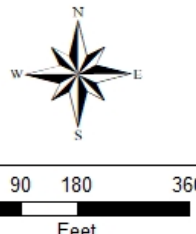


**Subject Property**

*Source: COJ, Planning & Development Department*

*Date: 02/05/2019*



<p>REQUEST SOUGHT:</p> <p>FROM: AGR</p> <p>TO: IL</p>	<p>LOCATION MAP:</p>  <p>TRACKING NUMBER</p> <p><b>T-2019-2162</b></p>	 <p>0 90 180 360 Feet</p> <p>COUNCIL DISTRICT:</p> <p><b>7</b></p> <p><b>EXHIBIT 2</b> <b>PAGE 1 OF 1</b></p>
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