

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0155

APRIL 4, 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 **2019-0155**.

Location: 15153 Main Street North (SR 5)
Between Kirk Road and Bird Road

Real Estate Number(s): 108281-0000

Current Zoning District(s): Residential Low Density – 120 (RLD-120)

Proposed Zoning District: Commercial Community/General-2 (CCG-2)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Community/General Commercial (CGC)

Planning District: North, District 6

Applicant/Owner: Joshua Rowley
Pursuit of Progress, LLC
1652 Cellar Circle
Jacksonville, Florida. 32225

Agent: Lara Dietrich
Dietrich Planning, LLC
1332 Avondale Avenue
Jacksonville, Florida. 32205

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0155** seeks to rezone .69 acres of land from Residential Low Density-120 (RLD-120) to Commercial Community/General-2 (CCG-2). The Site is currently split zoned Residential Low Density-120 (RLD-120) and Commercial Community/General-2 (CCG-2) with the front portion of the property closest to Main Street North (SR 5) being zoning Commercial Community / General-2 (CCG-2). The application is being sought to extend

the commercial zone further into the property, and to make the commercial boundary even with the PUD (2017-0491) boundary to the north.

There is companion Small Scale Land Use Amendment (**2019-0154**) to change the Land Use for the same portion of the lot from Low Density Residential (LDR) to Community/General Commercial (CGC). The planning and Development Department is recommending **Approval** for the companion amendment.

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 0.69 of an acre subject site is located along the east side of Main Street Road, a principal arterial roadway, just south of the intersection with Kirk Road, a local road. The property is located in Planning District 6, Council District 2 and within the Suburban Development Area.

The site currently has a Low Density Residential (LDR) land use designation. According to the Future Land Use Element (FLUE), LDR in the Suburban Area is intended to provide for low density residential development.

As a companion to the rezoning, the applicant is proposing a land use change for the subject site from LDR to Community/General Commercial (CGC) with **Ordinance 2019-154**.

Future land use amendment requests for new Community/ General Commercial (CGC) designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which are located in areas with an existing mix of non-residential uses. Nodal sites with two or more boundaries on a transportation right-of-way shall be considered preferred locations for these uses. Commercial retail sales and service, filling stations, and business and professional offices are primary uses within CGC.

The western portion of the parcel that fronts North Main Street is in the CCG-2 zoning district/CGC land use category. This amendment is to allow for consistency of use with the front portion of the site. The remaining eastern portion of the site is not proposed to be changed and would remain in the RLD-120 zoning district/LDR land use category.

There have been similar proximate land use and zoning changes in the area. A 5.79 acre amendment site at 15249/15311 North Main Street (SR 5) (US 17) underwent a land use amendment from LDR to CGC in 2009 (Ordinance 2009-140-E). Its companion rezoning application changed 7.08 acres from RLD-100A and CCG-2 to PUD (Ordinance 2009-141-E). In 2015, directly abutting the subject property to the south and similar to the subject amendment, 0.8 of an acre at 15137 North Main Street (SR 5) (US 17) was amended from LDR to CGC (Ordinance 2015-437-E). The companion rezoning changed 1.2 acres from RLD-120 and CCG-2 to PUD (Ordinance 2015-438-E). In 2017, directly abutting the subject property to the north and also similar to the subject amendment, a 0.58 of an acre amendment site at 15199 North Main Street was amended from LDR to CGC (Ordinance 2017-490-E). The companion rezoning changed a larger portion of the property (1.03 acres) to include the frontage along North Main Street from CCG-2 and RLD-120 to PUD (2017-491-E). The proposed CGC boundary line for the subject amendment will align with the CGC line of the abutting properties to the south and north that were amended as described with Ordinances 2015-437-E and 2017-490-E. The proposed CCG-2 Rezoning and companion CGC land use designation is a logical extension of the currently existing CCG-2/CGC demarcation line through parcels along the eastern side of the North Main Street (SR 5) (US 17) corridor.

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

Yes. According to the Future Land Use Element (FLUE), CGC is a category which 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

The proposed application is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

<p>Policy 1.1.11 Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.</p>

The subject parcel is located along Main Street North (SR 5) which is a commercial corridor located on a major arterial roadway. The proposed expansion of this corridor further into the property is consistent with Policy 1.1.11, and will allow for the redevelopment of a commercially vacant structure today.

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.

The proposed site will be serviced by JEA Sewer and Water services. The proposed rezoning is consistent with policy 1.2.9.

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.

The proposed expansion of the commercial zone into the residential zone will not create any traffic into the residential area. The subject property only has access from Main Street North (SR 5) and does not have any contiguous property with a local residential road. The proposed rezoning is consistent with Policy 3.2.4.

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. The subject property meets the requirements of the CCG-2 Zoning District as set forth in Section 656.313 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

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

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	PUD	Vacant Commercial
South	CGC	PUD	Warehouse Flex Space
East	LDR	RLD-120	Residential
West	CGC	CCG-2	Railroad / Right of Way

The proposed rezoning is located on main Street North (SR 5), a 2-lane undivided major arterial highway developed with a mix of residential and commercial properties. The surrounding properties are developed, or are in plans to be developed as commercial parcels. The proposed rezoning will be consistent with the surrounding Zoning and Land Use districts.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on March 20, 2019 the required Notice of Public Hearing signs were posted.



Source: Planning and Development Department
Date: March 20, 2019

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2019-0155** be **APPROVED**.



Aerial

Source: JaxGIS
Date: March 19, 2019



View of the subject property.

Source: Planning and Development Department

Date: March 20, 2019



View of the neighboring property to the south of the subject property.

Source: Planning and Development Department

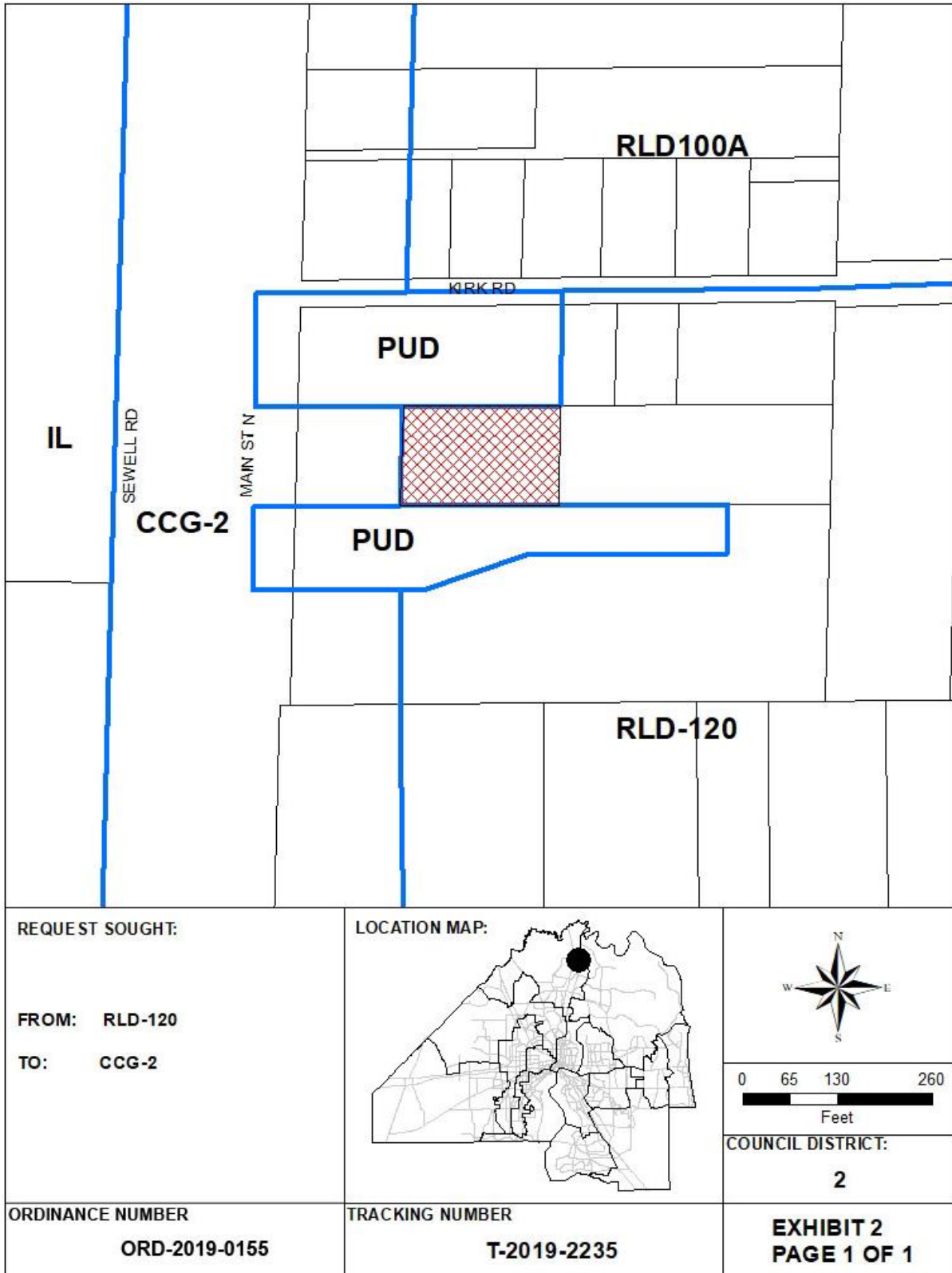
Date: March 20, 2019



View of the neighboring property to the north of the subject property.

Source: Planning and Development Department

Date: March 20, 2019



Legal Map

Source: JaxGIS
 Date: March 19, 2019