

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO

APPLICATION FOR REZONING ORDINANCE 2019-0157

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 **2019-0157**.

Location: 0, 1316, 1324 State Street West; 0 Brady Street; 0, 1315, 1339 Union Street West

Real Estate Number: 075498-0000; 075499-0000; 075501-0000; 075509-0000; 075508-0000; 075507-0000; 075506-0000

Current Zoning District: Residential Medium Density-A (RMD-A)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Medium Density Residential (MDR)

Proposed Land Use Category: Light Industrial (LI)

Planning District: District 5—Northwest

Applicant/Agent: Emily Pierce, Esq.
Rogers Towers, P.A.
1301 Riverplace Blvd, Suite 1500
Jacksonville, Florida 32207

Owner: Chupp Charles
LKJ Land Trust
1357 W. Beaver St.
Jacksonville, FL 32209

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0157** seeks to rezone 1.74± acres of a property from Residential Medium Density-A (RMD-A) to Industrial Light (IL). The property is located in the Medium Density Residential (MDR) land use category within the Urban Priority Area of the Future Land Use Element of the 2030 Comprehensive Plan. Land-Use Companion application **L-5365-19C** is requesting Land-Use change from Medium Density Residential (MDR) to Light

Industrial (LI). The request is being sought in order to provide parking and turn around area for the expansions of neighboring property owners Load King Manufacturing Co.

Property to the West, also owned by Load King Manufacturing Co., was previously rezoned (2001-507) from Residential Medium Density-A (RMD-A) to Industrial Light (IL) zoning district and Land Use Amendment (2001-506) from Medium Density Residential (MDR) to Light Industrial (LI). Both applications for rezoning and Land-Use Amendment were approved.

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 Medium Density Residential (MDR) 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 proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. According to the Future Land Use Element (FLUE), LI is intended to provide for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas, such as noise, odor, toxic chemicals and wastes.

Future Land Use Element

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.

The proposed rezoning of IL will be compatible with other uses already existing within the surrounding area. Property located to the West, owned by Load Kings was previously rezoned from RMD-A to IL and rezoning of this property would continue to maintain compact and compatible land-use patterns within the area and therefore be in compliance with Policy 1.1.22.

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 subject properties is located in the Urban Priority Area and will be served by both centralized Water and Sewer. The proposed use will be in compliance with Policy 1.2.9.

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.

The subject properties will continue to promote the existing Industrial Uses within the general surrounding area by allowing several undeveloped pieces of property be utilized by an existing and functioning business for expansion of business needs. Due to these reasons the subject properties will be in compliance with Objective 3.2.

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.

The subject properties will be an extension of Load Kings Manufacturing Company industrial uses and will not deviate from the character of the area from which it serves therefore being in compliance with Policy 3.2.7.

Airport Environment Zone

The site is located within the 500 foot Height and Hazard Zone for Herlong Recreational Airport. Zoning will limit development to a maximum height of less than 500 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 656.1005.1(d).

Objective 2.5

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize 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 property will have to meet the height requirements of the Industrial Light Zoning District, which will be below the 500 maximum height requirements of airfield restrictions on the property.

Kings Road/Beaver Street Neighborhood Action Plan (NAP)

The subject site located within the boundaries of the Kings Road/Beaver Street NAP. The proposed rezoning is part of the Load King Manufacturing expansion. Load King is mentioned throughout the NAP as a key employer within the study area and the expansion of their facility is considered a major redevelopment activity which is expected to generate new jobs for the area. The NAP states that the area bounded by State Street, Brady Street, Union Street and Myrtle Avenue should be rezoned from RMD-A to IL and the land use should be amended LI to allow for the expansion of the Load King facility. The proposed rezoning application is consistent with these recommendations.

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 RMD-A to IL in order to provide parking and turn around area for the expansions of neighboring property owners Load King Manufacturing Company.

SURROUNDING LAND USE AND ZONING

The subject site is located on the south side of State Street W, between Brady Street and Myrtle Avenue N, North of Union Street W. It is also located within the Urban Priority Development Area, Planning District 5 and Council District 9. According to the Future Land Use Element (FLUE), LI in the Urban Priority Development Area is intended to provide for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	MDR	RMD-A	Single Family Dwellings
East	CGC	CCG-1	Convenience Store
South	LI	PBF-1	Daycare Facility
West	LI	IL	Manufacturing

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 March 11, 2019 by the Planning and Development Department, the required Notice of Public Hearing signs **were not** posted. However, the applicant promptly followed up and posted the signs.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2019-0157** be **APPROVED**.



Aerial View

Source: JaxGIS Map



Subject Site

Source: Planning & Development Department 03/11/2019



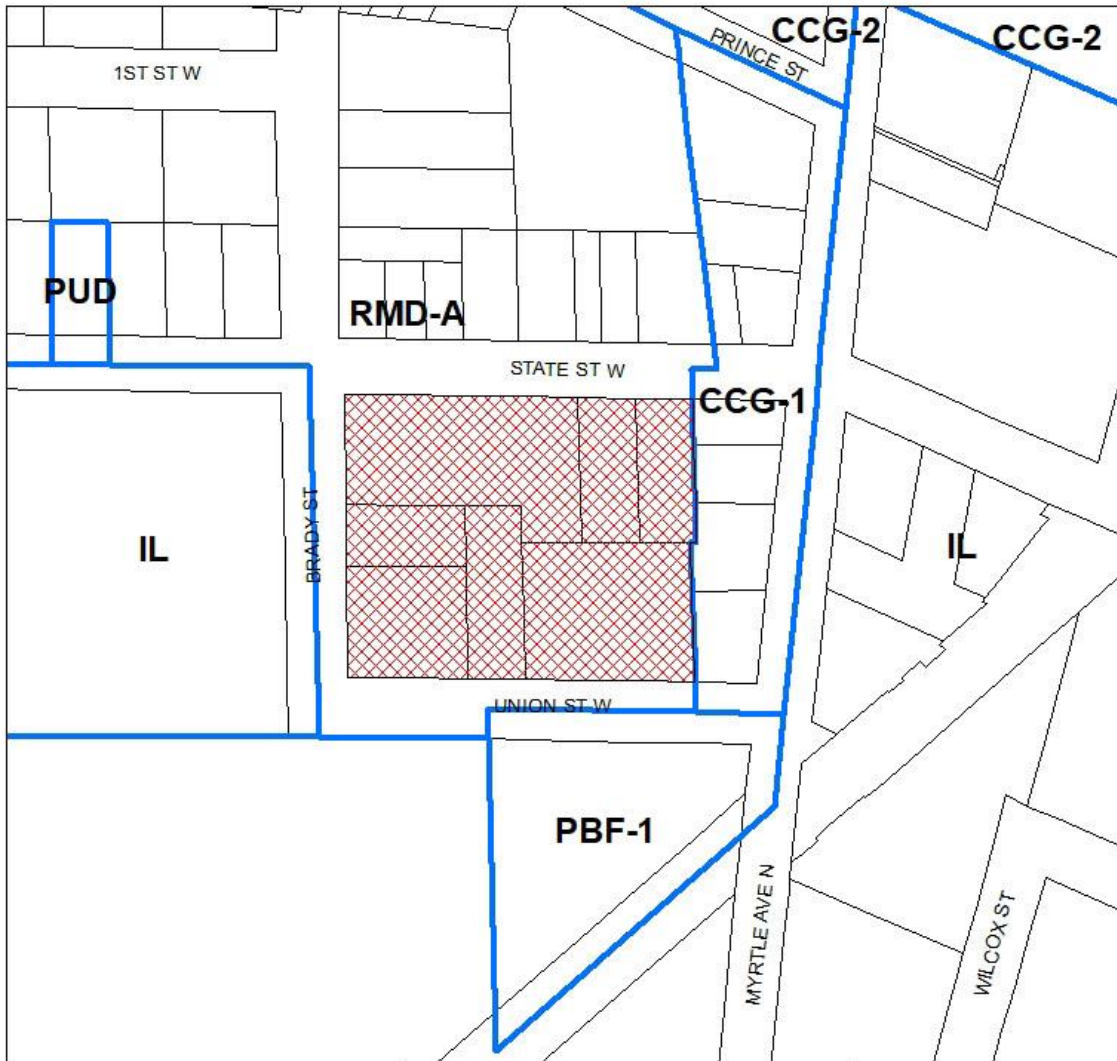
View of State St. W. looking West
Source: Planning & Development Department 03/11/2019

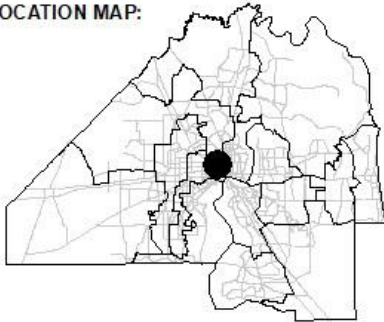
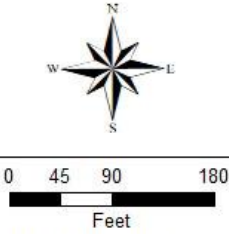


Property to the West: 1357 Beaver St. W.
Source: Planning & Development Department 03/11/2019



Property to the South: Butledge H. Pearson Service Center
Source: Planning & Development Department 03/11/2019



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-A</p> <p>TO: IL</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2019-0157</p>	<p>TRACKING NUMBER</p> <p>T-2019-2221</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map
 Source: JaxGIS Map