

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2020-0011**

**FEBRUARY 6, 2020**

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 **2020-0011**.

***Location:*** 9513 Neal Drive; Between Neal Drive and Hood Road

***Real Estate Number:*** Portion of 149103-0050

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

***Proposed Zoning District:*** Industrial Business Park (IBP)

***Current Land Use Category:*** Residential- Professional-Institutional (RPI)

***Proposed Land Use Category:*** Business Park (BP)

***Planning District:*** District 3—Southeast

***Applicant/Agent:*** William Jeffrey Michaelis, Esq.  
Rogers Towers, P.A.  
1301 Riverplace Boulevard, Suite 1500  
Jacksonville, FL 32207

***Owner:*** Advanced Commercial Holdings, LLC  
5024 Sunbeam Road  
Jacksonville, FL 32257

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2020-0011** seeks to rezone 0.25± acres of a property from Residential Medium Density-A (RMD-A) to Industrial Business Park (IBP). The request is being sought to expand the commercial land area for the neighboring window and glass tinting company located to the east at 5024 Sunbeam Road (RE: 149106-0030). There is a companion Small Scale Land Use Amendment L-5418-19C (**Ordinance 2020-0010**) that seeks to amend the land use on the property from Residential Professional Institutional (RPI) to Business Park (BP).

The subject parcel was also previously granted for a Zoning Exception (**E-89-41**) for home occupation use (single-family dwelling was demolished in 2018) by Planning Commission on March 30, 1989.

### **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 with the approval of companion Small Scale Land Use Amendment L-5418-19C (**Ordinance 2020-0010**), the subject property will be located in the Business Park (BP) 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. Currently the site has a RPI land use designation. According to the Future Land Use Element (FLUE), Business Park (BP) in the Suburban Area is intended to provide compact low to medium intensity office development. Plan amendment requests for new BP designations are preferred in locations which are supplied with full urban services and with site access to roads classified as arterial or higher on the Highway Functional Classification Map.

**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**

**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.

In reference to the attached JEA Availability Letter, 2019-4197, the proposed development shall maintain connection to City water and sewer with an estimated flow of 400 gpd.

**Objective 6.3**

The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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.

The proposed rezoning to CCG-2 would allow for small infill development on a traditionally underutilized parcel.

**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 IBP in order to permit the development of off-street parking—all while adhering to local, state, and federal regulations governing wetlands.

**SURROUNDING LAND USE AND ZONING**

The subject property is located at the southeast corner of the intersection of Sunbeam Road and Neal Drive, and is currently undeveloped. The proposed rezoning to IBP would allow the applicant to expand the vehicle use area (VUA) of the abutting window tinting and glass repair shop. Nonetheless, 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	BP	IBP	Businesses/Offices
East	BP	IBP	Window/Glass Tinting Company
South	RPI	RMD-A	Single-Family Dwelling
West	RPI	CRO	Undeveloped

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

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on January 30, 2020 by the Planning and Development Department, the required Notice of Public Hearing sign was posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2020-0011 be **APPROVED**.



**Figure A:**



Source: Planning & Development Dept, 12/2/19

**Aerial view of the subject site and parcel, facing north.**

**Figure B:**



Source: Planning & Development Dept, 1/30/20

**View of Sunbeam Road and the subject property, facing south.**

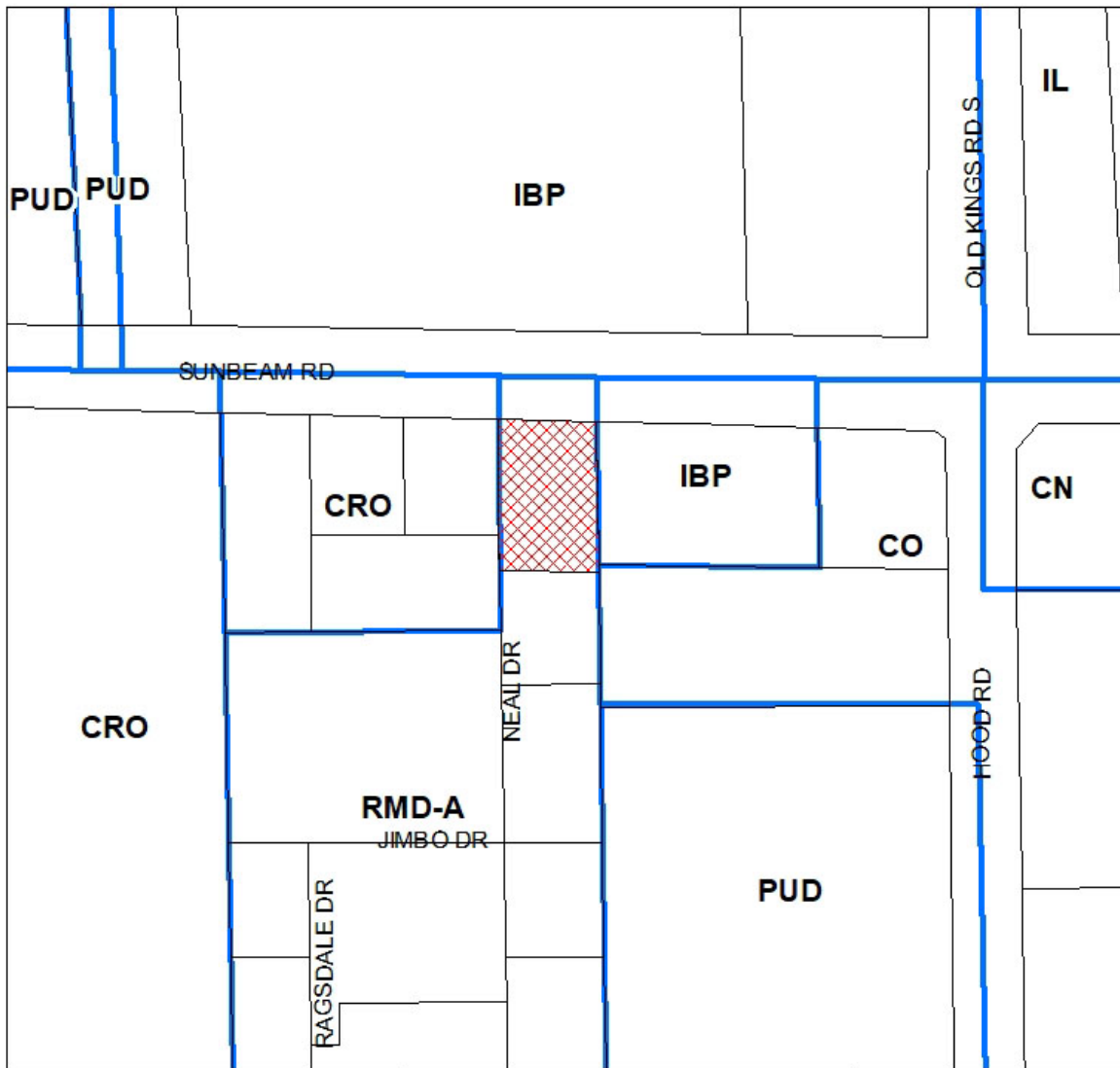


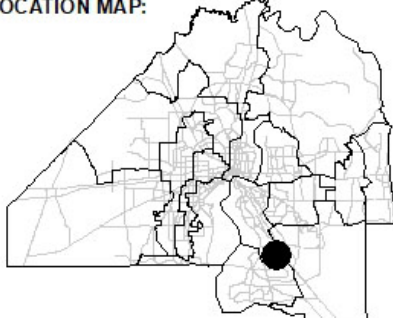
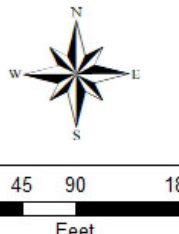
**Figure C:**



**Source: Planning & Development Dept, 1/30/20**

**View of Sunbeam Road and the applicant's neighboring business, facing south.**



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-A</p> <p>TO: IBP</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>6</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0011</p>	<p>TRACKING NUMBER</p> <p>T-2019-2634</p>	<p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>