

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2019-0723

NOVEMBER 7, 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 **2019-0723**.

Location: 6608 Old Kings Road; on the west side of Old Kings Road just north of Soutel Drive

Real Estate Number: 003464 0000

Current Zoning District: Commercial Community General-1 (CCG-1) and Residential Rural-Acre (RR-Acre)

Proposed Zoning District: Industrial light (IL)

Current Land Use Category: Community General Commercial (CGC and Low Density Residential (LDR)

Proposed Land Use Category: Light Industrial (LI)

Planning District: District 5 – Northwest

Applicant/Owner: Izudin Skalonjic
2751 Sack Drive East
Jacksonville, Florida 32216

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2019-0723** seeks to rezone approximately 2.83± acres of land from Commercial Community General-1 (CCG-1) and Residential Rural-Acre (RR-Acre) to the Industrial Light (IL) Zoning District. The property is currently located in the Community General Commercial (CGC) and Low Density Residential (LDR) land use categories within the Suburban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. The property has historically been utilized by a church and commercial/retail uses. This request is being sought in order to allow the property to be used for private industrial activity. The property is currently developed with roughly 7,000 square feet of space that has previously been occupied by a church and retail/commercial uses.

There is a companion Land Use Amendment application for the property (: L-5375-19C; Ord. 2019-0722) to change the underlying future land use of the property from the current Community General Commercial (CGC and Low Density Residential (LDR) designations to Light Industrial (LI). If approved the property will be located in the Light Industrial (LI) land use category within the Suburban Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought in order to construct a truck storage facility on the property

The site is located within the “Industrial Situational Compatibility” Zone. “Industrial Sanctuary” and “Industrial Situational Compatibility” Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development. The site is located within the “Area of Situational Compatibility” as described in Future Land Use Element of the 2030 Comprehensive Plan. “These areas are presumed to be appropriate for land use map amendments to industrial categories...”

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 Planning and Development Department finds that the subject property is currently located in the Community General Commercial (CGC and 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. The proposed Light Industrial (LI) land use category is generally defined as a category which provides 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. Density, location and mix of uses shall be pursuant to the Development Areas as set forth in the 2030 Comprehensive Plan. The owner would like to use the site for truck storage. 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.

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

Yes. The proposed amendment has been reviewed in relation to the following goals, objectives, policies and/or text of the 2030 Comprehensive Plan and is consistent with the following policies of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Future Land Use Element (FLUE):

FLUE Goal 3 To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

FLUE 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.

FLUE Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

FLUE 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.

FLUE Policy 3.2.29 The City shall continue to update its comprehensive inventory and mapping of Industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long term economic well-being of the City and are identified on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility".

FLUE Policy 3.2.30 The area shown on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility" are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

FLUE Policy 3.2.32 Where there is not an adopted neighborhood plan and/or study recommending the contrary, areas identified on the Industrial Preservation Map (Map L-23) as Industrial Sanctuary shall not be converted to non-industrial land uses.

FLUE 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.

FLUE Objective 6.3 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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.

This application for rezoning allow for the development and use of a bypassed parcel of industrial land to be developed to serve the community, and surrounding residential areas.

Recreation and Open Space Element (ROSE):

ROSE Policy 2.2.1 The City shall require that all new non-residential land uses, except in the Central Business District, provide a minimum of 10% of the property in open space.

Infrastructure Element, Sanitary Sewer Element (IE-SS):

Policy 1.2.3 The City shall not permit septic tanks for the disposal or discharge of industrial wastes.

Policy 1.2.9 Septic tanks shall be permitted in Rural Areas, provided they meet the requirements of Chapter 64E-6, F.A.C., and that all lots created after shall have a minimum of 1 acre of un-submerged property.

The proposed rezoning has been identified as being related to the following issues identified in the 2030 Comprehensive Plan. Based on this relationship, the rezoning application has been evaluated for consistency with the following issues and related goals, objectives and/or policies:

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Historic Preservation Element

Policy 1.2.6 The Planning and Development Department shall maintain and update for planning and permitting purposes, a U.S.G.S. series of topographic maps upon which recorded archaeological sites are shown.

Industrial Zones

The subject property is located within the “Industrial Situational Compatibility” Zone. “Industrial Sanctuary” and “Industrial Situational Compatibility” Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

3. Does the proposed rezoning conflict with any portion of the City's land use regulations?

No. The proposed change in Zoning District is consistent with the Light Industrial (LI) future land use category as defined in the Future Land Use Element of the 2030 Comprehensive Plan. If approved as recommended by the Planning and Development Department, the subject property will be rezoned from CCG-1 and RR-Acre to IL in order to permit a private industrial use or activity.

SURROUNDING LAND USE AND ZONING

The subject property has access via Old Kings Road. Surrounding properties in the area range from Industrial uses to residential properties. The proposed rezoning to IL would allow for the property to be used for light industrial uses with an adequate buffer between it and the residential uses in the area. Adjacent land uses and zoning districts are as follows:

| Adjacent Property | Land Use Category | Zoning District | Current Use(s) |
|--------------------------|--------------------------|------------------------|---|
| North | CGC/LDR | CCG-1/RR-Acre | Split zoned property with a single-family home in the CCG-1 area and undeveloped in the RR-Acre portion |
| East | LI/LDR | PUD/RR-Acre | Industrial use PUD and single-family home |
| South | LI/LDR | IL/RR-acre | Undeveloped industrial land and single-family home |
| West | LI | PUD | Property is zoned PUD for light industrial uses, but currently occupied with single-family homes |

The 2.83 acre subject site is located on the west side of Old Kings Road, a minor arterial roadway, just north of the Old Kings Road/Pritchard Road/Soutel Drive intersection. The property is located in Planning District 5, Council District 10, within the Suburban Development Area and the Kings/Soutel Community Redevelopment Area (CRA). The site is also located within the Industrial Suitability Compatibility Zone. There are no sanitary sewer and water lines serving the

subject site. 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 October 9, 2019 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 **2019-0723** be **APPROVED**.

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Aerial view of the subject site facing north



The subject site on the left facing north along Old Kings Road



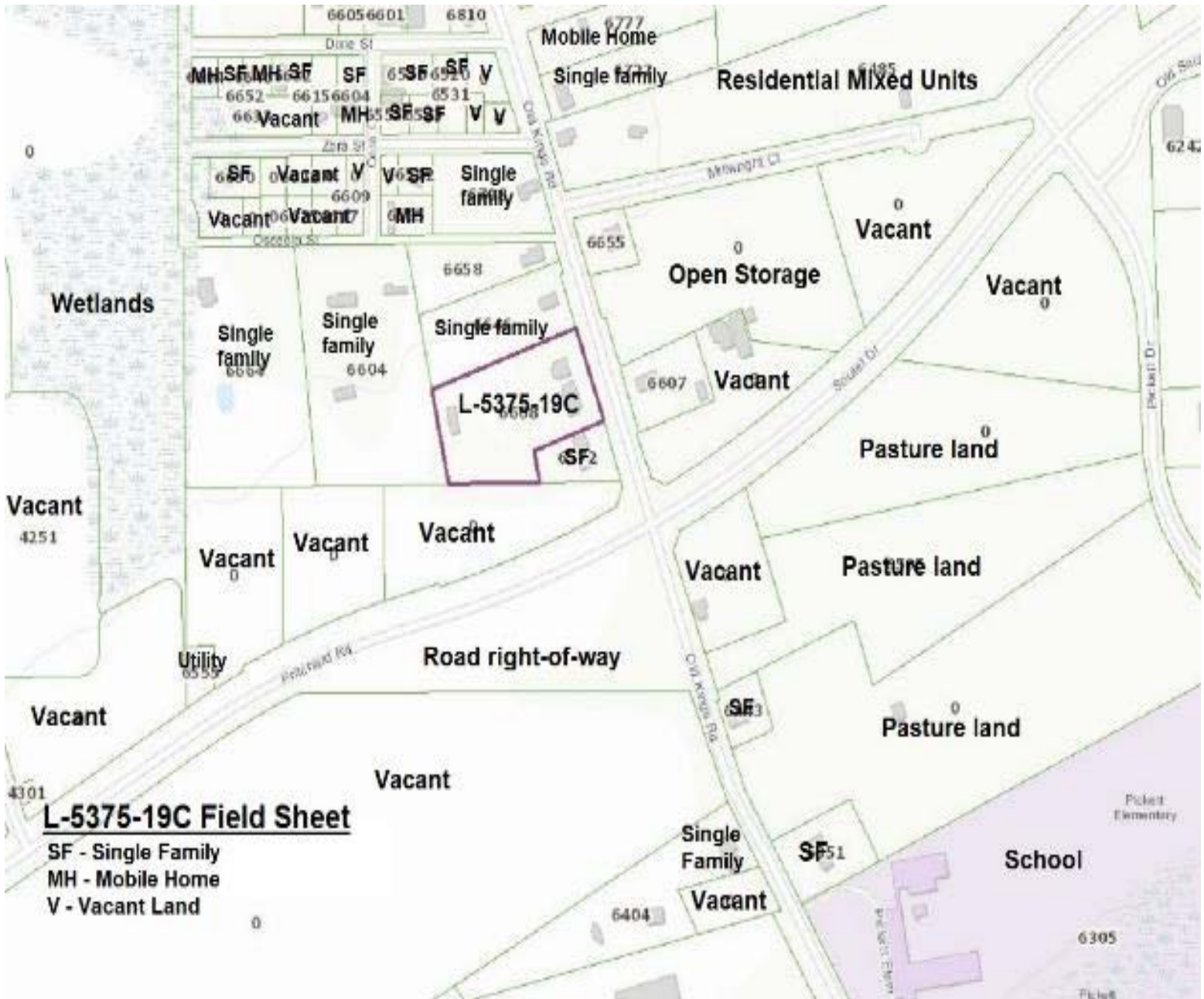
The subject site on the right facing south along Old Kings Road

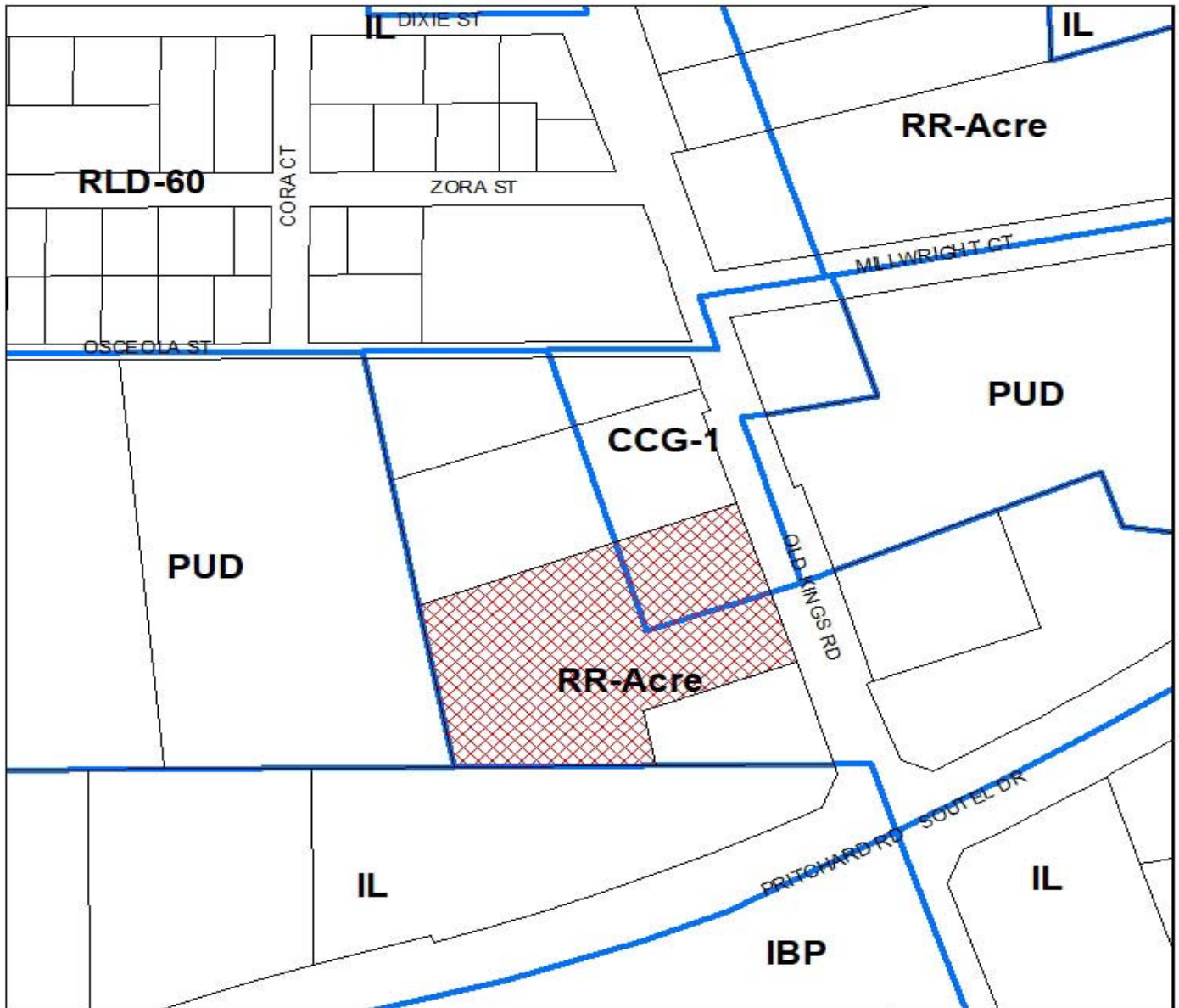


The northern side of the subject site facing west from Old Kings Road



The southern side of the subject site facing west from Old Kings Road

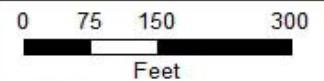
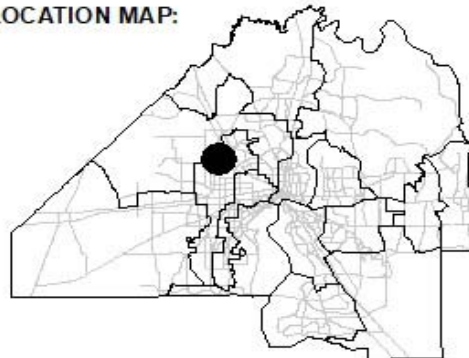




REQUEST SOUGHT:

FROM: CCG-1 & RR-ACRE
 TO: IL

LOCATION MAP:



COUNCIL DISTRICT:

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ORDINANCE NUMBER

ORD-2019-0723

TRACKING NUMBER

T-2019-2281

EXHIBIT 2
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