

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2019-633

OCTOBER 3, 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 **2019-633**.

Location: 0 & 4945 Lenior Avenue,
between Phillips Highway (US 1) and Bonneval
Road

Real Estate Numbers: 152806-0000 & 152801-0000

Current Zoning District: Industrial Business Park (IBP) & Planned Unit
Development (PUD 2012-083-E)

Proposed Zoning District: Commercial Community General-1 (CCG-1)

Current Land Use Category: Community General Commercial (CGC)

Planning District: Southeast, District 3

Owners: Emir Mehmedovic
1167 Eston Place
Jacksonville, FL 32257

Agent: Hipps Group Inc
Lara Hipps
1650 Margaret Street, #323
Jacksonville, Florida 32204

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Ordinance **2019-633** seeks to rezone two parcels totaling approximately 2.74 acres of land from Industrial Business Park (IBP) and Planned Unit Development (PUD 2012-083-E) to Commercial Community General-1 (CCG-1) for the purpose of developing a hotel/motel. The site is located in the Community General Commercial (CGC) functional land use category of the *2030 Comprehensive Plan* within the Urban Priority Area of the City. The site has frontage on Lenior Avenue. Philips Highway (US 1), from JTB (SR 202) to University Boulevard, is the directly

accessed functionally classified roadway. Philips Highway is a 4-lane divided arterial in this vicinity and is currently operating at 72.96% of capacity.

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 to Zoning Code or rezoning of land*, the Planning and Development Department finds that the subject property is located in the CGC functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the *2030 Comprehensive Plan*. The property is within the CGC land use category within the Urban Priority Development Area. Hotels are permitted in the CGC land use category as a principle use in the Urban Priority Development Area. Therefore, the proposed use is generally consistent with the current land use designation of the subject properties.

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

Yes. The proposed amendment is consistent with the following objectives and policies of the Future Land Use Element (FLUE) of the *2030 Comprehensive Plan*:

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 provided JEA letter states that JEA water and sewer are available in the Lenior Avenue ROW for hook-up.

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.

The land use category, CGC, supports commercial uses on the property. A hotel is an appropriate use for the site as well, as the other CCG-1 allowed uses. The site is located between Phillips Highway (US 1) and J. Turner Butler Boulevard, both major roadways for travel within the City and State.

The subject site is currently developed with a single-family dwelling that was converted to an office with outside storage. The lots are underdeveloped for an area with a lot of commercial activity and an emerging area of continued development.

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

No. It is the opinion of the Planning and Development Department that the proposed rezoning to CCG-1 will not be in conflict with any portion of the City’s land use regulations. The proposed zoning district would be compatible with the surrounding area. Properties between J Turner Butler and Phillips Highway majorly consists of Commercial and Industrial zonings including; CCG-1, CCG-2 and IBP.

SURROUNDING LAND USE AND ZONING

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

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CGC	CCG-1	Brownfield
East	CGC	PBF-2/CCG-1	Adult Day Care Center
South	CGC	IBP	Single Family Dwellings
West	CGC	PUD 2012-083-E	Outside storage

It is the opinion of the Planning & Development Department that the requested rezoning to CCG-1 will be consistent and compatible with the surrounding uses. The rezoning will allow for development on an underutilized lot that will allow for infill in a developing area near two major roadways.



Subject property

Source: COJ, Planning and Development Department

Date: September 18, 2019



Property to the east (4813 Lenior Avenue)

Source: COJ, Planning and Development Department

Date: September 18, 2019



Property to the south: Medical Office (6930 Bonneval Road)

Source: COJ, Planning and Development Department

Date: September 18, 2019



Property to the south: Abandoned Single Family Dwelling (4950 Lenior Avenue)

Source: COJ, Planning and Development Department

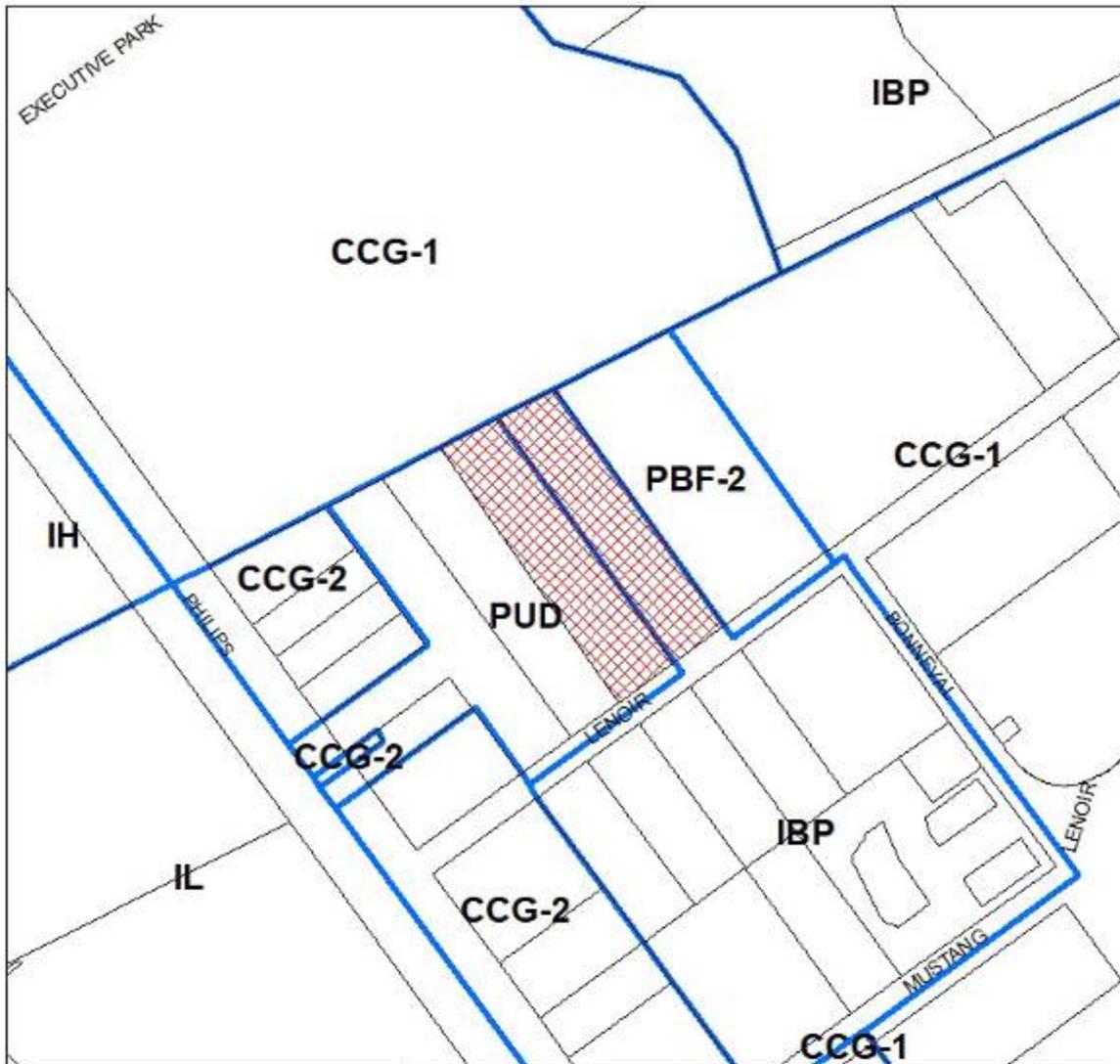
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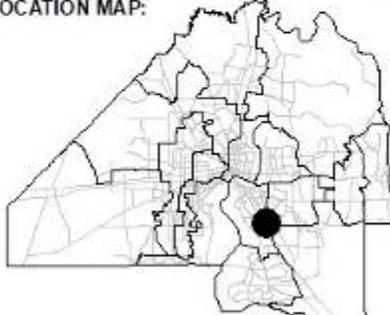
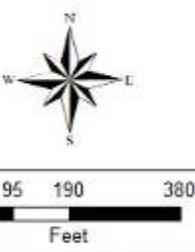


Hotel one block east (4888 Lenior Avenue)

Source: COJ, Planning and Development Department

Date: September 18, 2019



<p>REQUEST SOUGHT:</p> <p>FROM: PUD & IBP</p> <p>TO: CCG-1</p>	<p>LOCATION MAP:</p> 	 <p>0 95 190 380 Feet</p> <p>COUNCIL DISTRICT: 5</p>
<p>ORDINANCE NUMBER ORD-2019-0633</p>	<p>TRACKING NUMBER T-2019-2479</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>