

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2020-0302

JULY 23, 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 **2020-0302**.

Location: 0 Heckscher Drive (SR 105); Between Fort George Road and Shad Creek Drive

Real Estate Number: 169162-0000 and 169160-0000

Current Zoning District: Planned Unit Development (PUD 2006-0775-E)

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

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

Planning District: District 6—North

Applicant/Agent: L. Charles Mann
Mann-Pellicer, Inc.
165 Arlington Road
Jacksonville, Florida 32211

Owner: St. Johns Marine Group
9852 Heckscher Drive
Jacksonville, Florida 32226

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0302** seeks to rezone 1.04± acres of land from Planned Unit Development (PUD) to Commercial Community/General-2 (CCG-2). The request is sought to expand the existing boatyard operations business, St Johns Boat Co., which abuts the subject property to the southwest (see **Figure A**).

The need for the rezoning arises from the PUD's limitation on commercial uses. The property's PUD designation restricts development to multi-family dwellings and marina uses. Staff also notes that prior to being rezoned to a PUD in 2006, the subject property was originally zoned as CCG-2.

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 Community/General Commercial (CGC) 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 subject site is located on the southeast side of Heckscher Drive (SR 105), a minor arterial roadway, and along the northwest side of the St. Johns River. The applicant seeks to rezone the property from PUD to CCG-2. The application site is located in the CGC land use category within the Suburban Development Area as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

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, **2020-0816**, the proposed development shall connect to City water and sewer with an estimated flow of 8,750 gpd.

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.

The proposed rezoning directly supports the above policy by permitting for commercial development along the Heckscher Drive corridor.

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 PUD to CCG-2 in order to permit boatyard operations—all while adhering to local, state, and federal regulations mentioned below:

Flood Zones:

The entire subject site is located within the AE flood zone. The AE flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm of Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. In result, any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

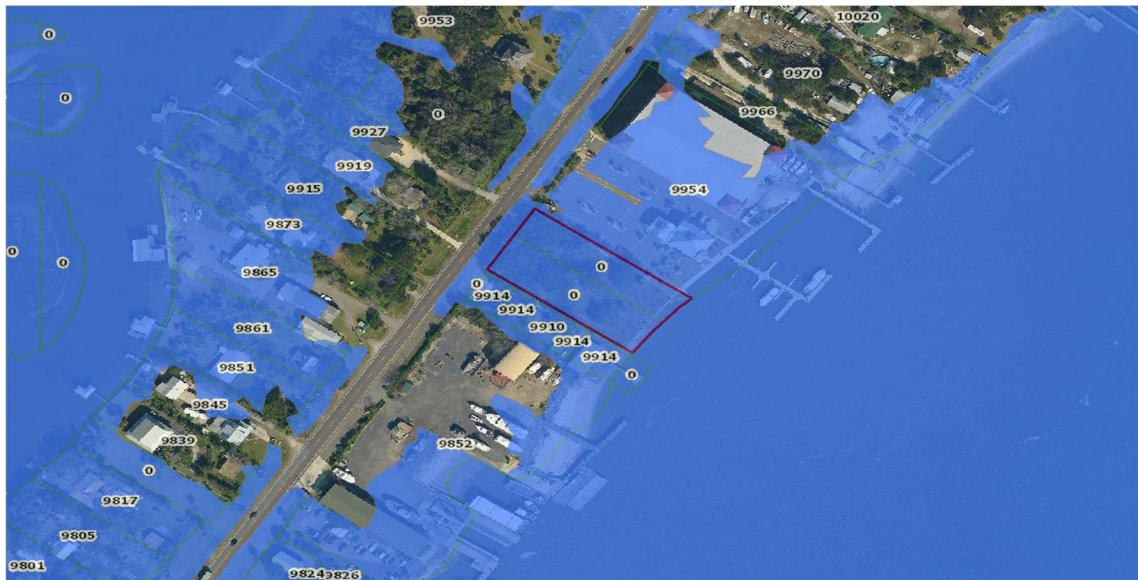


Flood Zone Map

For more information regarding flood zones, please see the attached memo from Community Planning Division.

Coastal High Hazard Area (CHHA) / Adaptation Action Area (AAA):

The entire subject site is located within a Coastal High Hazard Area (CHHA) and Adaptation Action Area (AAA), as defined by Sections 163.3178(2)(h) and 163.3164(1), Florida Statutes. Site design should cluster development away and avoid development in the CHHA/AAA.



CHHA Map

SURROUNDING LAND USE AND ZONING

The subject property is located on the south side of Heckscher Drive between St. Johns Boat Co. and Fort George Island Marina. The rezoning request back to the CCG-2 Zoning District will allow for the expansion of boatyard operations and retail uses. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CGC	CCG-2	Marina
East	N/A	N/A	St. Johns River
South	CGC	CCG-2	Boatyard Operations
West	LDR	RR-Acre	Single-Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to CCG-2 will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **July 6, 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 **2020-0302** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 5/11/20

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

Figure B:



Source: Planning & Development Dept, 7/6/20

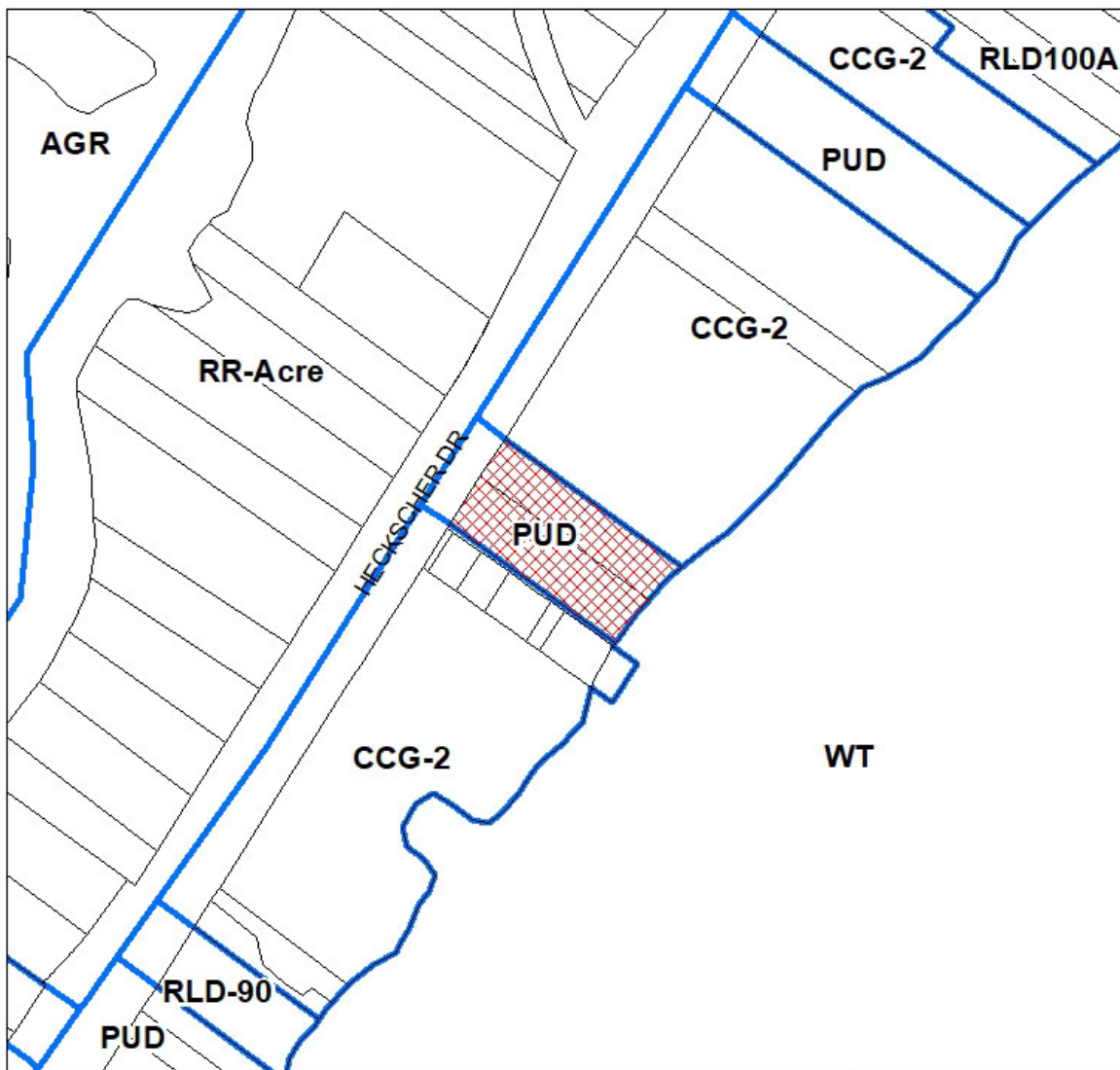
View of Hecksher Drive and the subject property, facing southeast.

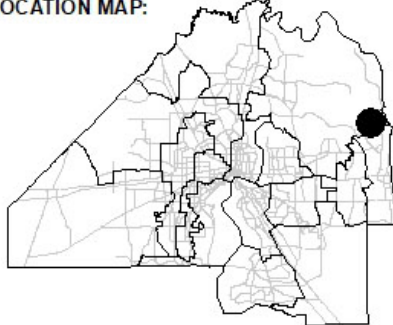
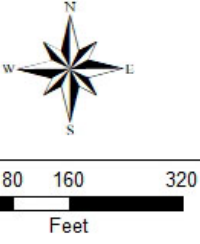
Figure B:



Source: Planning & Development Dept, 7/6/20

View of Hecksher Drive and the abutting boatyard operations business, facing southeast.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: CCG-2</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>2</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0302</p>	<p>TRACKING NUMBER</p> <p>T-2020-2836</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>