

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2020-0021

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 **2020-0021**.

Location: 1565 Airport Road (SR102)

Real Estate Number: 019354-0500

Current Zoning District: Commercial Community/General-1 (CCG-1)

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

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

Planning District: District 6—North

Applicant: Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne and Diebenow, PLLC.
1 Independent Drive, Suite 1200
Jacksonville, FL 32202

Owner: Micky Biss
Biss Reality Inc.
1744 S. Miami Avenue
Miami, FL 33129

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0021** seeks to rezone 3.18± acres of a property from Commercial Community/General-1 (CCG-1) to Commercial Community/General-2 (CCG-2). The property is located in the Community/General Commercial (CGC) land use category within the Suburban Area of the Future Land Use Element of the 2030 Comprehensive Plan. The property is currently operating as a RV Storage yard and the request for rezoning is being sought in order to allow for the additional use of Recreational Vehicle Maintenance.

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 request is for a rezoning from CCG-1 to CCG-2 to allow for recreational vehicle maintenance on the property. The 3.18± acre subject property is along the north side of Airport Road, a minor arterial road. The property is located in Planning District 6, Council District 7 and within the Suburban Development Area.

According to the Future Land Use Element (FLUE), CGC in the Suburban Area is intended to provide development in a nodal development pattern. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services; abut a roadway classified as an arterial or higher on the Functional Highway Classification Map; and which located in areas with an existing mix of non-residential uses. The proposed use is permitted within the CGC land use category.

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

Yes, the proposed rezoning furthers the following goals, objectives, and policies of the 2030 Comprehensive Plan's Future Land Use Element:

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.

Per an attached JEA service availability letter dated December 4, 2019, there is a 16-inch water main along Aladdin Road. In addition there is an 8-inch gravity force

main at the intersection of Aladdin Rd and Marbon Rd. Any new development of the property would be required to utilize these connections, and therefore the proposed rezoning is consistent with the above policy 1.2.9.

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 proposed rezoning of CCG-2 will create a zoning district that will the property to continue with the current use of RV storage but expand the business to include RV Maintenance. The rezoning will not create a use not compatible with the surrounding area since the predominant zoning district along airport road is CCG-1. Because of these reasons the application will be in compliance with Policy 3.2.7.

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.

The subject property has operated as RV Storage for several years and is requesting to simply expand the existing use to include the ability to perform maintenance to the RV being stored on the property currently. This area along Airport Road is a mixed zoning of both Commercial and Industrial uses, so this rezoning will not create a property out of character for the general area and will allow a property being underutilized to continue existing and expand their business.

Airport Environment Zone

The site is located within the 50 foot Height and Hazard Zone for the Jacksonville International Airport. Zoning will limit development to a maximum height of less than 50 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.

Flood Zones

Approximately 3.18 acres of the subject site is located within the AE flood zone. 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 or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The AE flood zone is defined as areas within the 100-year floodplain or SFHA where flood insurance is mandatory. Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

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 CCG-1 to CCG-2 in to allow for recreational vehicle maintenance on the property.

SURROUNDING LAND USE AND ZONING

The subject site is located on the north side of Airport Road, a minor arterial roadway, south of Owens Road and east of International Airport Boulevard. The applicant seeks to rezone the property from CCG-1 to CCG-2 to allow for recreational vehicle maintenance. 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. The site is also located in Planning District 6 and Council District 7. Airport Road is primarily zoned CCG-1 with surrounding uses of airport parking lots and hotels/motels. The properties surrounding the subject property are undeveloped pieces of property filled with undisturbed timber. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	CCG-1	Vacant
South	CGC	CCG-1	Motel
East	LDR	CCG-1	Vacant
West	CGC	CCG-1	Vacant

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 receiving sign affidavit documentation from the applicant on December 11, 2019, 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 **2020-0021** be **APPROVED**.



Aerial View

Source: JaxGIS Map



View of Subject Property

Source: Planning & Development Department 01/14/2020



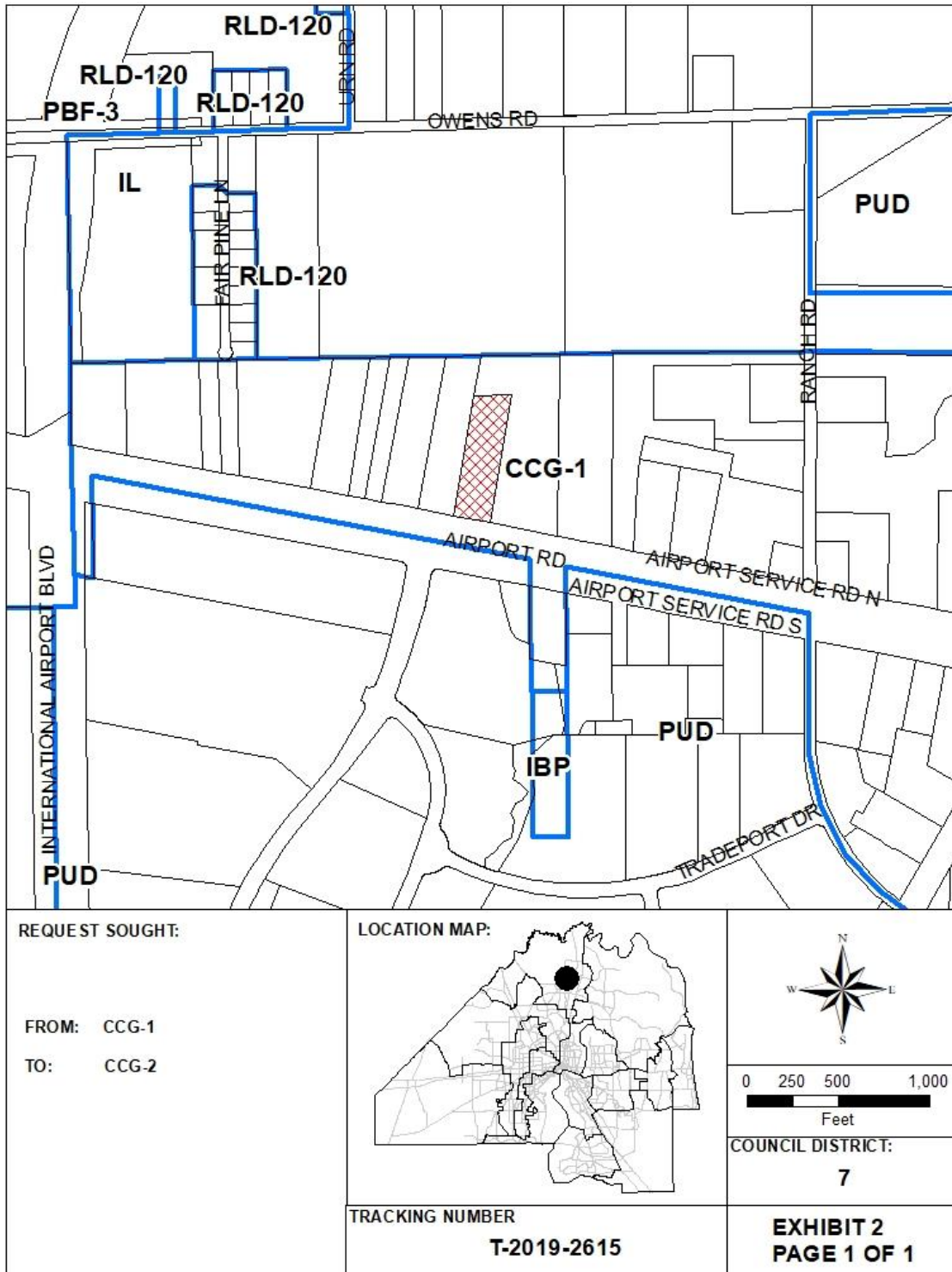
View of RV Storage Area

Source: Planning & Development Department 01/14/2020



View of Properties to the East

Source: Planning & Development Department 01/14/2020



Legal Map
 Source: JaxGIS Map