

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2020-0093

MARCH 5, 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 **2020-0093**.

Location: 0 San Jose Boulevard; Between Goodby's Creek and Beauclerc Road

Real Estate Number: 148713-0100

Current Zoning District: Conservation (CSV)

Proposed Zoning District: Neighborhood Commercial (NC)

Current Land Use Category: Conservation (CSV)

Proposed Land Use Category: Neighborhood Commercial (CN)

Planning District: District 3—Southeast

Applicant/Agent: City of Jacksonville
C/O Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202

Owner: City of Jacksonville
C/O City Real Estate Division
214 North Hogan Street, 10th Floor
Jacksonville, FL 32202

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0093** seeks to rezone 2.37± acres of land from Conservation (CSV) to Neighborhood Commercial (NC). The request is being sought to facilitate a land swap between the City of Jacksonville and a private party in order to permit for commercial development in exchange for preserving 52± acres of wetlands (see **Figure A**).

There is a companion Small Scale Land Use Amendment L-5433-20C (**Ordinance 2020-0092**) that seeks to amend the land use on the property from Conservation (CSV) to Neighborhood Commercial (NC).

The subject site is part of a Land Exchange Agreement pursuant to Ordinance 2020-0148. As set forth in the Land Exchange Agreement, the subject 2.37-acre City of Jacksonville owned parcel will be conveyed to a private party in exchange for the conveyance to the City of Jacksonville of approximately 52 acres of environmentally sensitive land currently in the Low Density Residential (LDR) land use category. The 52 acres abut Goodby's Creek and are in close proximity to the John T. Lowe Boat Ramp at San Jose Boulevard and Goodby's Creek. Upon acquisition of the 52 acres, it is the intent of the City to rezone the property to Conservation (CSV).

Additionally, the subject parcel includes a conservation easement restriction that was placed as an offset for the construction of the John T. Lowe Boat Ramp. Chase Properties is working with appropriate agencies to amend the conservation easement restrictions.

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-5433-20C (**Ordinance 2020-0092**), the subject property will be located in the Neighborhood Commercial (NC) 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 CSV land use designation. According to the Future Land Use Element (FLUE), the Neighborhood Commercial (NC) Future Land Use Category is intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. NC designations are preferred in locations which are supplied with full urban services, which abut a roadway classified as a collector or higher and which are compatible with adjacent residential neighborhoods.

The site is associated with airport environs, a wellhead buffer zone, a septic tank failure area, the CHHA/AAA, flood zones and Category II wetlands. These impacts are included below with additional analysis.

**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 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 at the subject site would enhance the viability of non-residential uses along San Jose corridor by creating a more uniform development pattern in the given area and increase land availability for neighborhood commercial uses.

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 CSV to PBF-M in order to permit for commercial development—all while adhering to local, state, and federal regulations mentioned below:

Flood Zones:

Approximately 0.84 of an acre of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard and 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 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.

Wetlands:

Approximately 0.37 acres of the subject site is located within Category III wetlands. The wetlands are located along the along the southeastern corner of the property. Any development within the wetlands must meet the performance standards in Conservation/Coastal Management Element (CCME) Policy 4.1.3.



Wetlands Map

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

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

Approximately 0.30 of an acre of the 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.



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

SURROUNDING LAND USE AND ZONING

The subject property located on the east side of San Jose Boulevard, a major arterial roadway, and just south of Goodby’s Creek. The 2.37-acre site abuts a larger 32-acre parcel that is in the Conservation land use category. The rezoning request to the CN Zoning District will allow for commercial development. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	NC	PUD 2016-0525-E	Assisted Living Facility
East	CSV	CSV	Goodby’s Creek Preserve
South	CSV	CSV	Goodby’s Creek Preserve
West	LDR	RLD-90	Single-Family/Commercial

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **February 18, 2020** by the Planning and Development Department, the required Notice of Public Hearing signs **were** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2020-0093** be **APPROVED**.

Figure A:

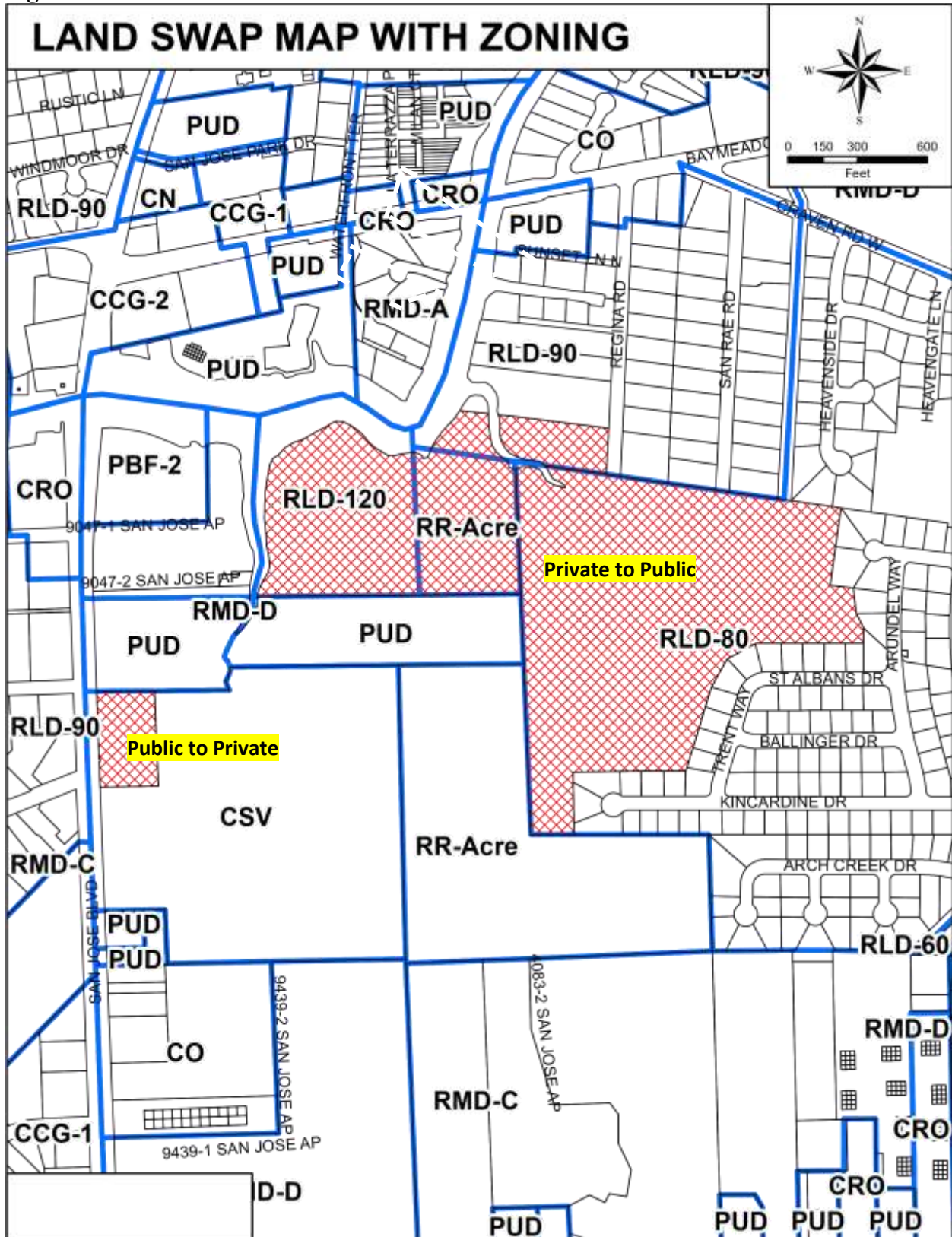
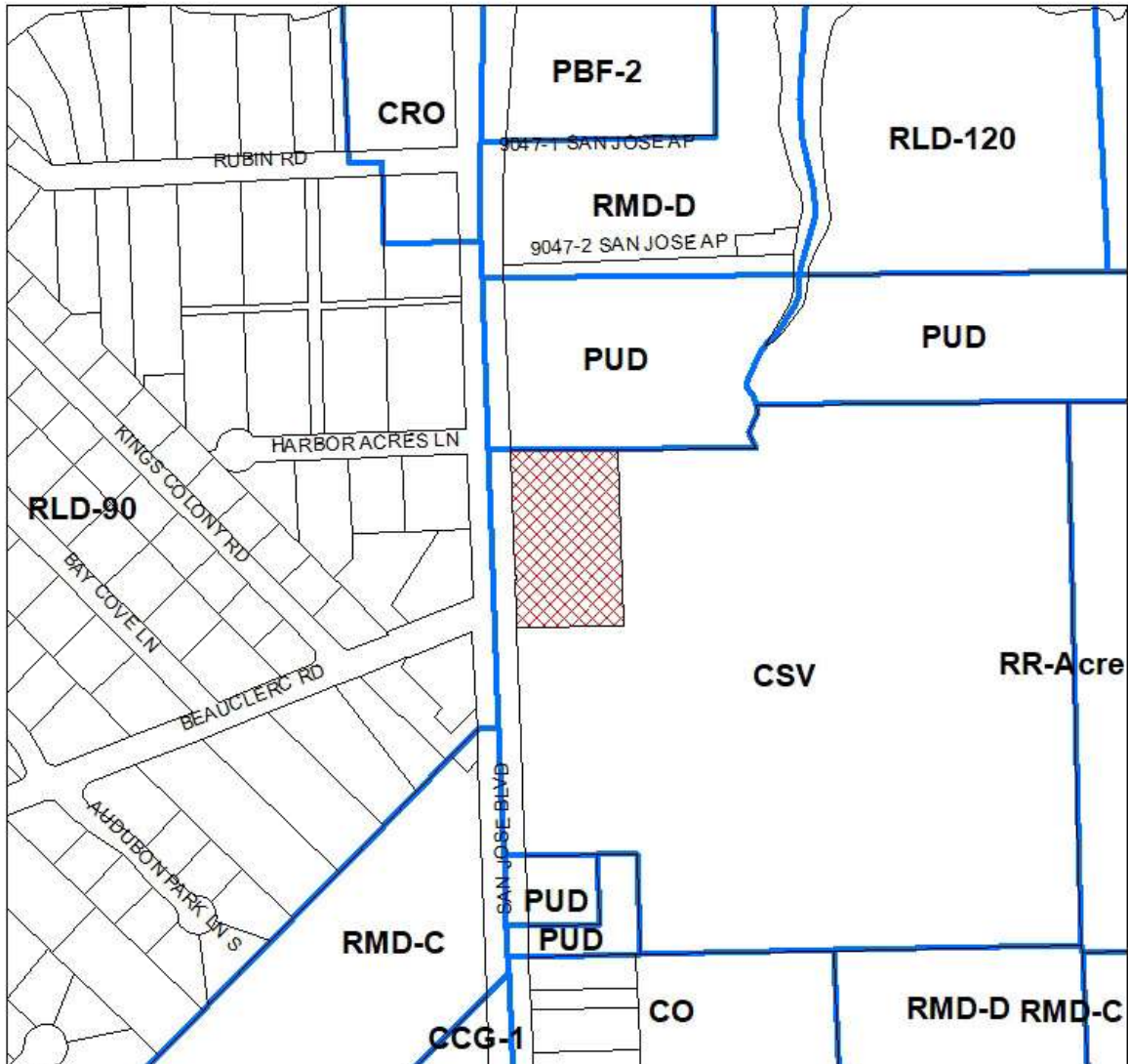


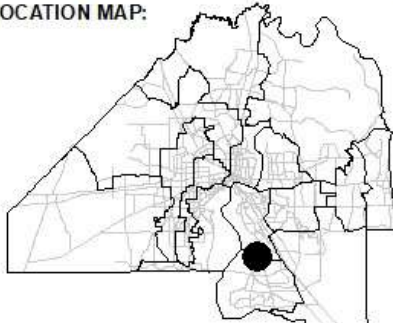
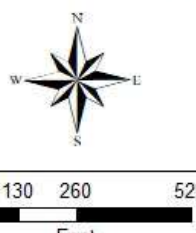
Figure B:



Source: Planning & Development Dept, 2/18/20

View of San Jose Boulevard and the subject property, facing east.



<p>REQUEST SOUGHT:</p> <p>FROM: CSV</p> <p>TO: CN</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT: 5</p>
<p>ORDINANCE NUMBER ORD-2020-0093</p>	<p>TRACKING NUMBER T-2020-2735</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>