

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2020-5

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 2020-5**.

Location: 8781 US 301 Highway South between Duval County Line and Maxville-Middleburg Road

Real Estate Number: 001192-0010

Current Zoning District: Agriculture (AGR)
Commercial Community General-1 (CCG-1)
Commercial Community General-2 (CCG-2)

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

Current Land Use Category: Community/General Commercial (CGC)
Agriculture-iv (AGR-iv)

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

Planning District: Southwest, District 4

Applicant/Agent: T.R. Hainline, Esq.
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: River Point, Inc.
9799 Old St. Augustine Road
Jacksonville, Florida 32257

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-5** seeks to rezone a portion of a 13.36 acre parcel from the Agriculture (AGR), Commercial Community/General-1 (CCG-1) and Commercial Community General-2 (CCG-2) to the Commercial Community/General-2 (CCG-2) Zoning District. According to the applicant, the request for the rezoning is to allow for commercial

development consistent with the CGC land use and CCG-2 Zoning District. The site is currently the Maxville Raceway or Kounty Line Kartway race track. The property has frontage along US 301, a principal arterial road as classified by the Functional Highway Classification Map of the 2030 Comprehensive Plan.

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 located in the Community/General Commercial (CGC) and Agriculture-iv (AGR-iv) functional land use categories as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. According to the Future Land Use Element (FLUE), Community/General Commercial (CGC) is intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Uses permitted within the CGC land use category include commercial retail sales and services establishments, including auto sales; restaurants; office; business and professional office; and financial institutions.

However, there is a companion Application for Large Scale Land Use Amendment to the Future Land Use Map Series L-5409-19A (Ordinance 2020-04) that seeks to amend the portion of the site that is within the AGR-iv land use category to (CGC). Staff is recommending that Application for Large-Scale Land Use Amendment to the Future Land Use Map Series L-5409-19A be approved. 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 is consistent with the following policies of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

FLUE Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

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. This application for rezoning will allow for commercial development, thereby strengthening the viability of the commercial area.

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.

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 does not appear to be in conflict with any portion of the City's land use regulations.

SURROUNDING LAND USE AND ZONING

The subject property is located on Timuquana Road. The surrounding uses, land use category and zoning are as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	CGC	CCG-1	Undeveloped
East	AGR-iv	AGR	Rail road track, undeveloped
South	AGR-iv	AGR	Undeveloped
West	AGR-v	AGR	Church, planted pines, undeveloped
	CGC	CCG-1	Filling station,

The northern 2.47 acre portion of the subject property is currently zoned CCG-2. The proposed rezoning request is seeking to allow for commercial development consistent with the northern zoning district.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on the required Notice of Public Hearing sign was posted on January 21, 2020.

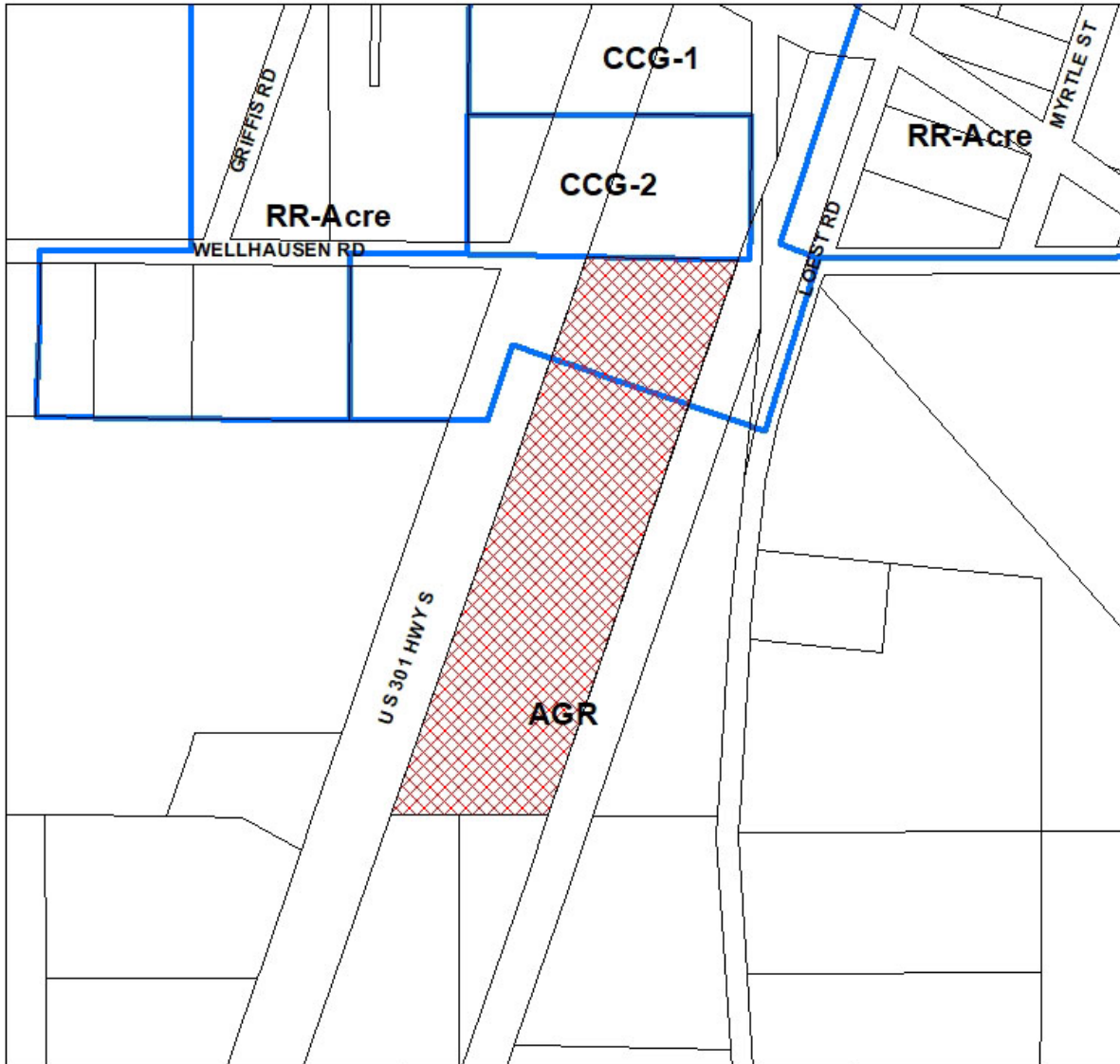


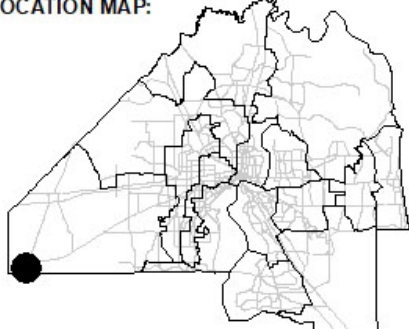

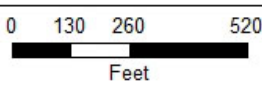
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2020-5 be **APPROVED**.



Aerial view of subject property



<p>REQUEST SOUGHT:</p> <p>FROM: AGR & CCG-1</p> <p>TO: CCG-2</p>	<p>LOCATION MAP:</p> 	  <p>COUNCIL DISTRICT:</p> <p>12</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0005</p>	<p>TRACKING NUMBER</p> <p>T-2019-2588</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>