

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

April 4, 2023

The Honorable Terrance Freeman, President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2023-167**

Dear Honorable Council President Freeman, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

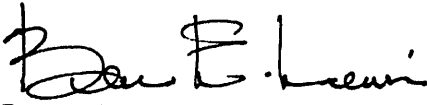
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	6-0
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
David Hacker	Absent

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202
(904) 255-7820
blewis@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2023-0167

APRIL 6, 2023

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 **2023-0167**.

Location: 0 118th Street
Between Blanding Boulevard and Jammes Road

Real Estate Number: 097894-0000; 097898-0000

Current Zoning District: Residential Low Density-60 (RLD-60)

Proposed Zoning District: Commercial, Residential and Office (CRO)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Residential-Professional-Institutional (RPI)

Planning District: District 4 —Southwest

Applicant/Agent: Zach Miller, Esq.
Law Office of Zach Miller
3203 Old Barn Quart
Ponte Vedra, FL 32082

Owner: Alex Sifakis
Hoose A, LLC
7563 Philips Hwy, Building 100m Suite 208
Jacksonville, FL 32256

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0167** seeks to rezone 3.92± acres of a subject property from Residential Low Density - 60 (RLD-60) to Commercial, Residential and Office (CRO). The request is being sought to provide a transition between the Commercial Multi-Family properties to the east of the subject site and the Single-Family residential to the west. The proposed district allows for both Multi-Family and low intensity commercial uses.

There is a companion Small Scale Land Use Amendment L-5789-22C (**Ordinance 2023-0166**) that seeks to amend the land use on the property from Low Density Residential (LDR) to Residential-Professional-Institutional (RPI).

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-5633-21C (**Ordinance 2021-0867**), the subject property will be located in the Residential-Professional-Institutional (RPI) 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 3.92-acre subject site is located on the north side of 118th Street, a collector roadway, and on the south side of Kohn Street, a local roadway, and between Blanding Boulevard (SR-21) to the east and Jammes Road to the west. The site is vacant and undeveloped. The property is in Council District 9 and the Southwest Planning District. The property is also located in 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 land to the north and east is undeveloped. Abutting the property to the south is a small group home and further south, the land is undeveloped. Abutting the property to the west is a single-family residence. Further west is a church.

According to the Category Description within the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Development Area is intended to provide for

low density residential development. The predominant development typology in this category is single-family residential development supplied with full urban services. The maximum allowed density is 7 units per acre when full urban services are available. RPI in the Suburban Development Area is intended to provide low to medium density development. Development which includes medium density residential and professional office uses is preferred. RPI designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses.

Maximum gross density within the Suburban Area shall be 20 units/acre and there shall be no minimum density; except that Transit-Oriented Development (TOD) shall provide a minimum gross density of 15 units/acre; and may increase the maximum gross density by an additional 10 units/acre.

The proposed zoning change to CRO is consistent with the proposed RPI land use category.

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:

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.

Policy 1.1.22

Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

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 RLD-60 to CRO in order to permit for the development of multi-family dwellings or commercial uses—all while adhering to local, state, and federal regulations mentioned below:

SURROUNDING LAND USE AND ZONING

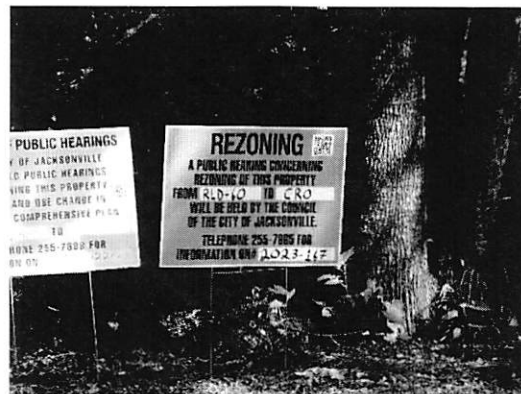
The subject property is located along 118th Street, between Blanding Boulevard and Jammes Road. Located west of the subject property are single family dwellings and a church, and east of the subject site is a mix of single family, and commercial properties. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RR-Acre	Vacant Residential
East	MDR/CGC	PUD	Vacant Commercial/SFD
South	LDR	RLD-60	Vacant Residential
West	LDR	RLD-60	Single Family Dwelling

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

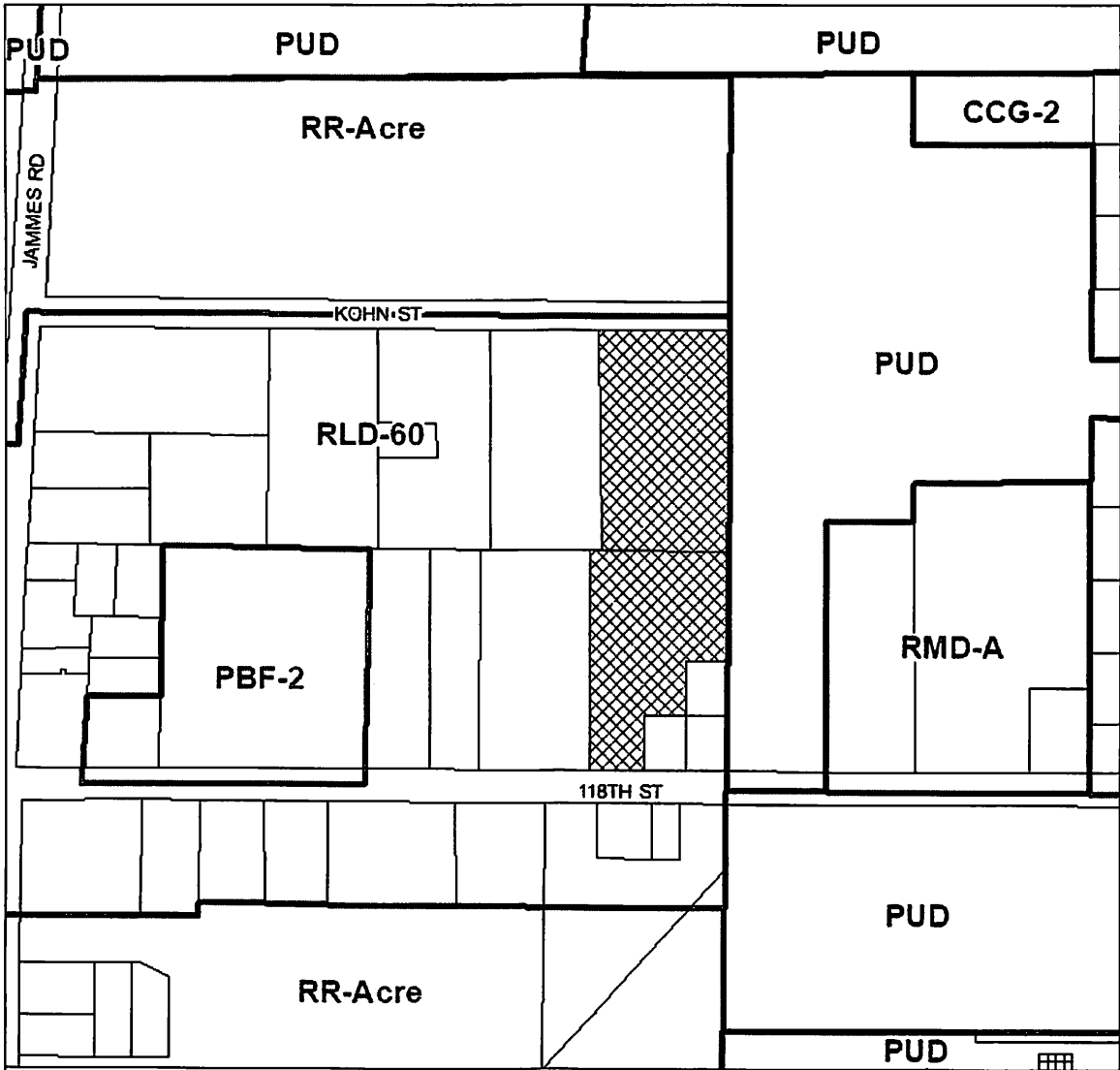
SUPPLEMENTARY INFORMATION

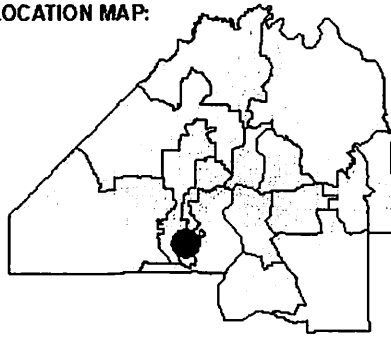
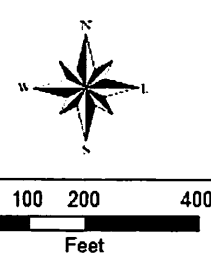
Upon visual inspection of the subject property on **March 28, 2023** by the Planning and Development Department, the required Notice of Public Hearing signs **were** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0167** be **APPROVED**.



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60</p> <p>TO: CRO</p>	<p>LOCATION MAP:</p> 	
	<p>TRACKING NUMBER</p> <p>T-2022-4691</p>	<p>COUNCIL DISTRICT:</p> <p>9</p> <p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2023-0167 Staff Sign-Off/Date CMC / 02/15/2023

Filing Date 03/09/2023 Number of Signs to Post 1

Meeting Dates:

1st City Council 04/11/2023 Planning Commission 04/06/2023

Land Use & Zoning 04/18/2023 2nd City Council 04/25/2023

Neighborhood Association ARGYLE AREA CIVIC COUNCIL

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4691 Application Status FILED COMPLETE

Date Started 12/15/2022 Date Submitted 12/15/2022

General Information On Applicant

Last Name MILLER First Name ZACH Middle Name WATON

Company Name
LAW OFFICE OF ZACH MILLER

Mailing Address
3203 OLD BARN COURT

City PONTEVEDRABEACH State FL Zip Code 32082

Phone 9046518958 Fax 904 Email ZWMILLERLAW@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name SIFAKIS First Name ALEX Middle Name

Company/Trust Name
HOOSE A, LLC

Mailing Address
7563 PHILIPS HWY BLDG 100 SUITE 208

City JACKSONVILLE State FL Zip Code 32256

Phone 9046518958 Fax Email ZWMILLERLAW@GMAIL.COM

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

Map RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map 097894 0000	9	4	RLD-60	CRO
P 097898 0000	9	4	RLD-60	CRO

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

5789

Total Land Area (Nearest 1/100th of an Acre) 3.92**Justification For Rezoning Application**

TO PROVIDE A TRANSITION FROM THE COMMERCIAL AND MEDIUM DENSITY RESIDENTIAL ZONINGS TO THE EAST OF THE PROPERTY TO THE LOW DENSITY RESIDENTIAL TO THE WEST WHILE ALLOWING LOW INTENSITY COMMERCIAL (OFFICE) USES.

Location Of Property**General Location**

BETWEEN BLANDING BLVD AND JAMMES ROAD

House #	Street Name, Type and Direction	Zip Code
0	118TH ST	32244

Between Streets

BLANDING BLVD and JAMMES ROAD

Required Attachments For Formal, Complete application

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

Exhibit 1 A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.

Exhibit A Property Ownership Affidavit – Notarized Letter(s).

Exhibit B Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

One copy of the Deeds to indicate proof of property ownership.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent **MUST BE PRESENT** at the public hearings. The required **SIGN(S)** must be **POSTED** on the property **BY THE APPLICANT** within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper **AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING.** (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish **PROOF OF PUBLICATION** to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements. I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

- 1) Rezoning Application's General Base Fee:** \$2,000.00
- 2) Plus Cost Per Acre or Portion Thereof**
3.92 Acres @ \$10.00 /acre: \$40.00
- 3) Plus Notification Costs Per Addressee**
21 Notifications @ \$7.00 /each: \$147.00
- 4) Total Rezoning Application Cost:** \$2,187.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

LEGAL DESCRIPTION

12/13/22

Parcel 1

Lot 12 of AMELIA KOHNS SUBDIVISION, according to the plat thereof, as recorded in Plat Book 16, Page 92, of the current Public Records of Duval County, Florida.

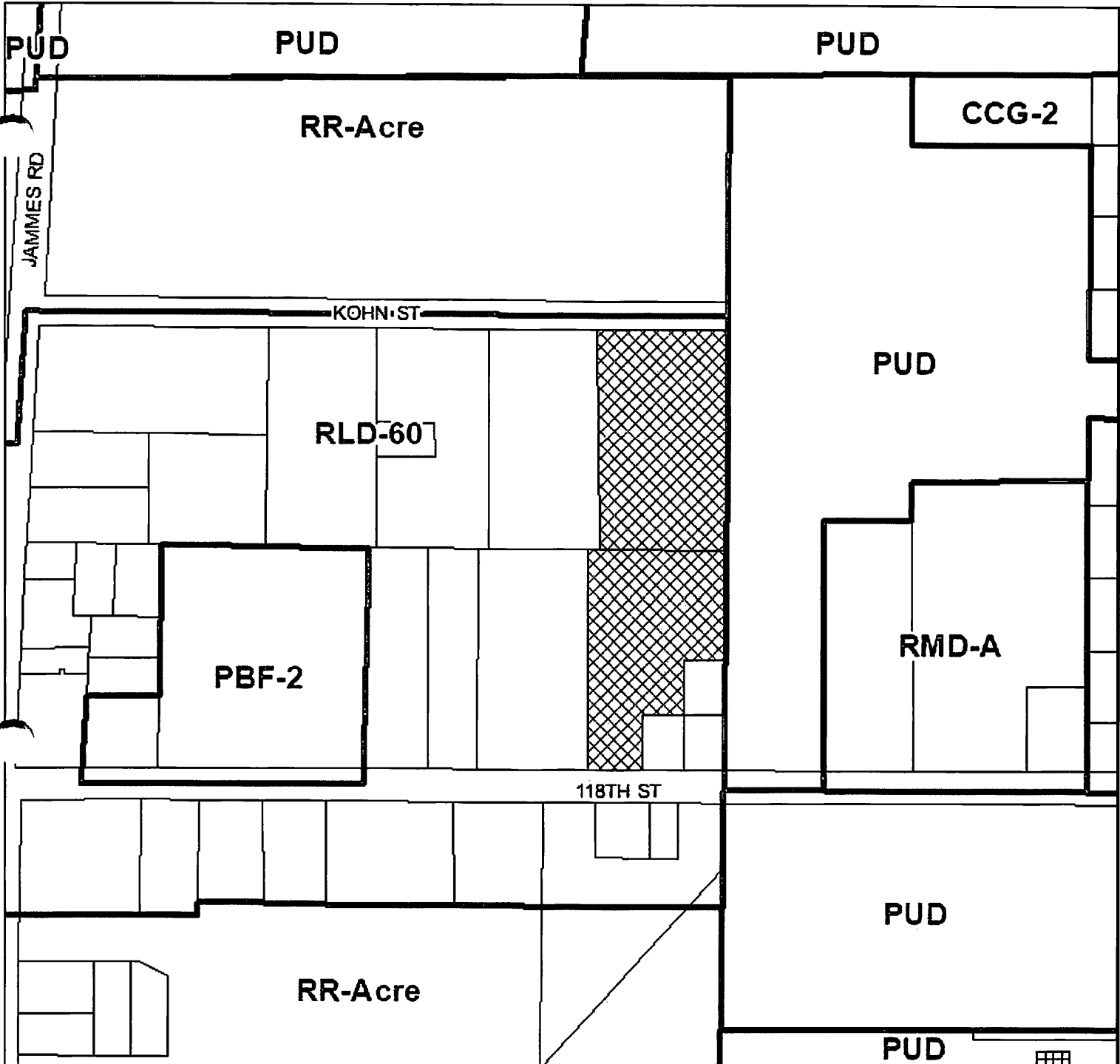
And

Parcel 2

Lot 13, except the South 100 feet of East 150 feet thereof, in AMELIA KOHN'S SUBDIVISION, according to the plat thereof, as recorded in Plat Book 16, Page 92, of the current Public Records of Duval County, Florida.

LESS AND EXCEPT:

A lot or parcel of land lying and being in Lot thirteen 913) of AMELIA KOHN'S SUBDIVISION beginning at the Southwest corner of said lot and go North one hundred (100 ft) along said lot line to the point of beginning; Thence in a Northerly direction to a distance of one hundred feet to an iron; Thence go in a Westerly direction seventy-five feet (75 ft) to an iron; Thence in Southerly direction and parallel to the East line of said lot go a distance of one hundred (100 ft); Thence in an Easterly direction to a distance of seventy-five (75 ft) to a point of beginning.

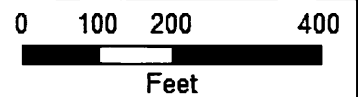
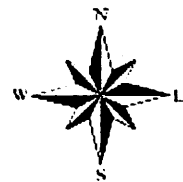
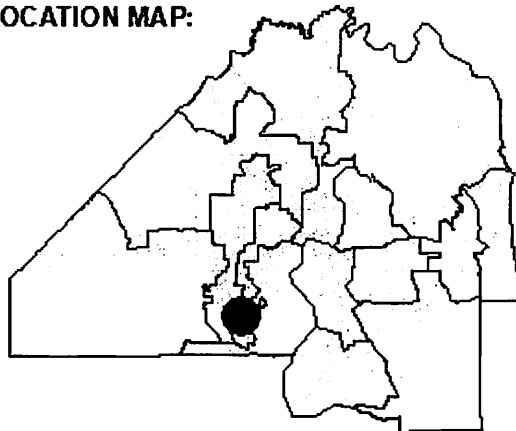


REQUEST SOUGHT:

FROM: RLD-60

TO: CRO

LOCATION MAP:



COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2022-4691

**EXHIBIT 2
PAGE 1 OF 1**