

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

August 19, 2021

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2021-420**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan 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**

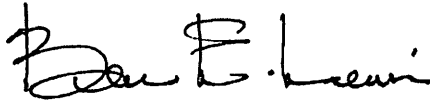
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Absent
Alex Moldovan	Aye
Jason Porter	Aye

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

Sincerely,

A handwritten signature in black ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

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 2021-0420

AUGUST 19, 2021

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 **2021-0419**.

Location: 13074 Normandy Boulevard (SR 228); Between
POW-MIA Memorial Parkway and Alcoy Road

Real Estate Number: 002207-0100

Current Zoning District: Residential Rural-Acre (RR-Acre)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Rural Residential (RR)

Proposed Land Use Category: Light Industrial (LI)

Planning District: District 4—Southwest

Applicant/Agent: Fred Atwill
Atwill, LLC.
9001 Forest Acres Lane
Jacksonville, Florida 32234

Owner: John Barbone
6355 Memory Lane
Jacksonville, Florida 32234

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2021-0420** seeks to rezone 2.26± acres of a property from Residential Rural-Acre (RR-Acre) to Industrial Light (IL). The request is being sought to construct a 5,000 square foot warehouse for the storage automotive parts. There is also a companion Small-Scale Land Use Amendment L-5566-21C (**Ordinance 2021-0419**) that seeks to amend a portion of the land from Low Density Residential (LDR) to Light Industrial (LI).

The subject property is located in an area identified on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary.” Industrial uses are crucial to the long term economic well-being of the City and these areas are presumed to be appropriate for land use map amendments to industrial categories, subject to FLUE Objective 3.2 and supporting policies as well as other applicable objectives and policies. The “Industrial Sanctuary Zone” is defined as a distinct geographical area predominately consisting of industrial uses and zoning districts and strategically located for future expansion and economic development.

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-5566-21C (**Ordinance 2021-0419**), the subject property will be located in the Light Industrial (LI) 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. The 2.26 acre subject site is currently used for outdoor storage and is located along the south side of Normandy Boulevard (SR-228), a major arterial road, between Alcoy Road and POW-MIA Memorial Parkway, both unclassified roads. There is a companion land use application L-5566-21C seeking a land use change from RR to LI on the site. The site is located within the Industrial Sanctuary and approximately one quarter of a mile north of the Cecil Commerce Center, a significant industrial complex providing for manufacturing, supply chain logistics, and industrial end users. Warehousing is a principal use in the LI land use category.

The subject site is not located within any Coastal High Hazard Area (CHHA) or flood zone. For more information, please see the attached Community Planning Memo.

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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

In reference to the attached JEA Availability Letter, 2021-1932, the proposed development shall connect to City water and sewer with an estimated flow of 350 gpd.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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 proposed rezoning to IL would allow for infill development on underutilized parcels and also allow for the applicant to enjoy the maximum benefit of their land without interfering with the rights of adjacent residential owners.

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 RR-Acre to IL in order to allow for the development of warehouse/storage facility.

SURROUNDING LAND USE AND ZONING

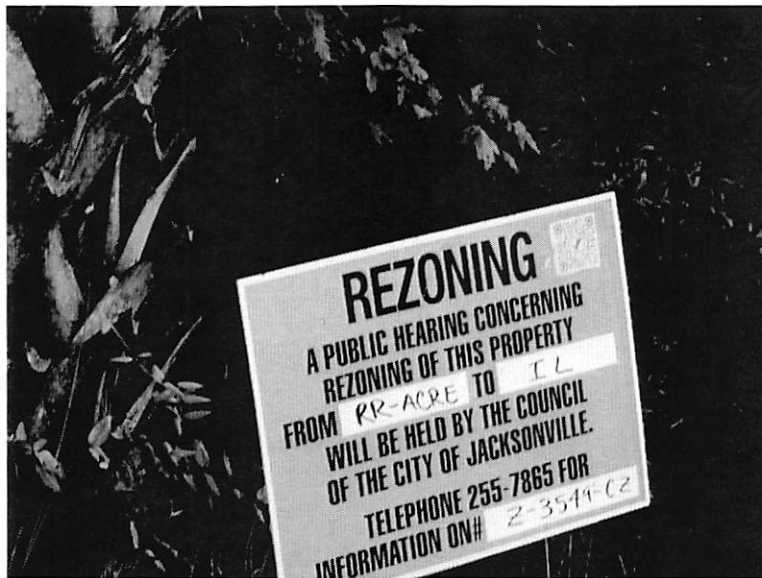
The subject property is located on the south side of Normandy Boulevard (SR 228) between POW-MIA Memorial Parkway and Alcoy Road. With the exception of distribution centers to the east of the subject property, majority of the lands within the general vicinity are undeveloped. The proposed rezoning to IBP would allow the applicant to allow for the storage of automotive parts. Nonetheless, adjacent land uses and zoning districts are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	MU	PUD 1997-1064	Undeveloped Land
East	MU	PUD 1997-1064	Undeveloped Land/Distribution Center
South	MU	PUD 1997-1064	Undeveloped Land/Distribution Center
West	RR	RR-Acre	Undeveloped Land

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

SUPPLEMENTARY INFORMATION

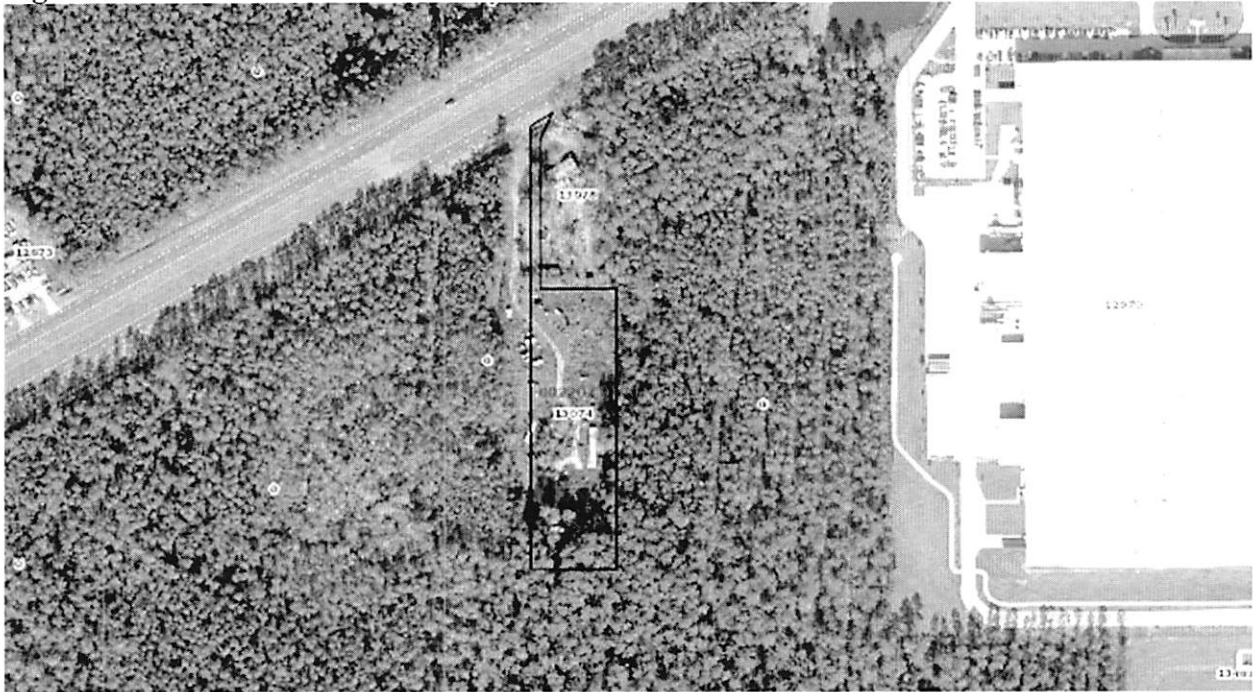
Upon visual inspection of the subject property on **August 12, 2021** by the Planning and Development Department, the required Notice of Public Hearing sign **was** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2021-0420** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 05/28/21

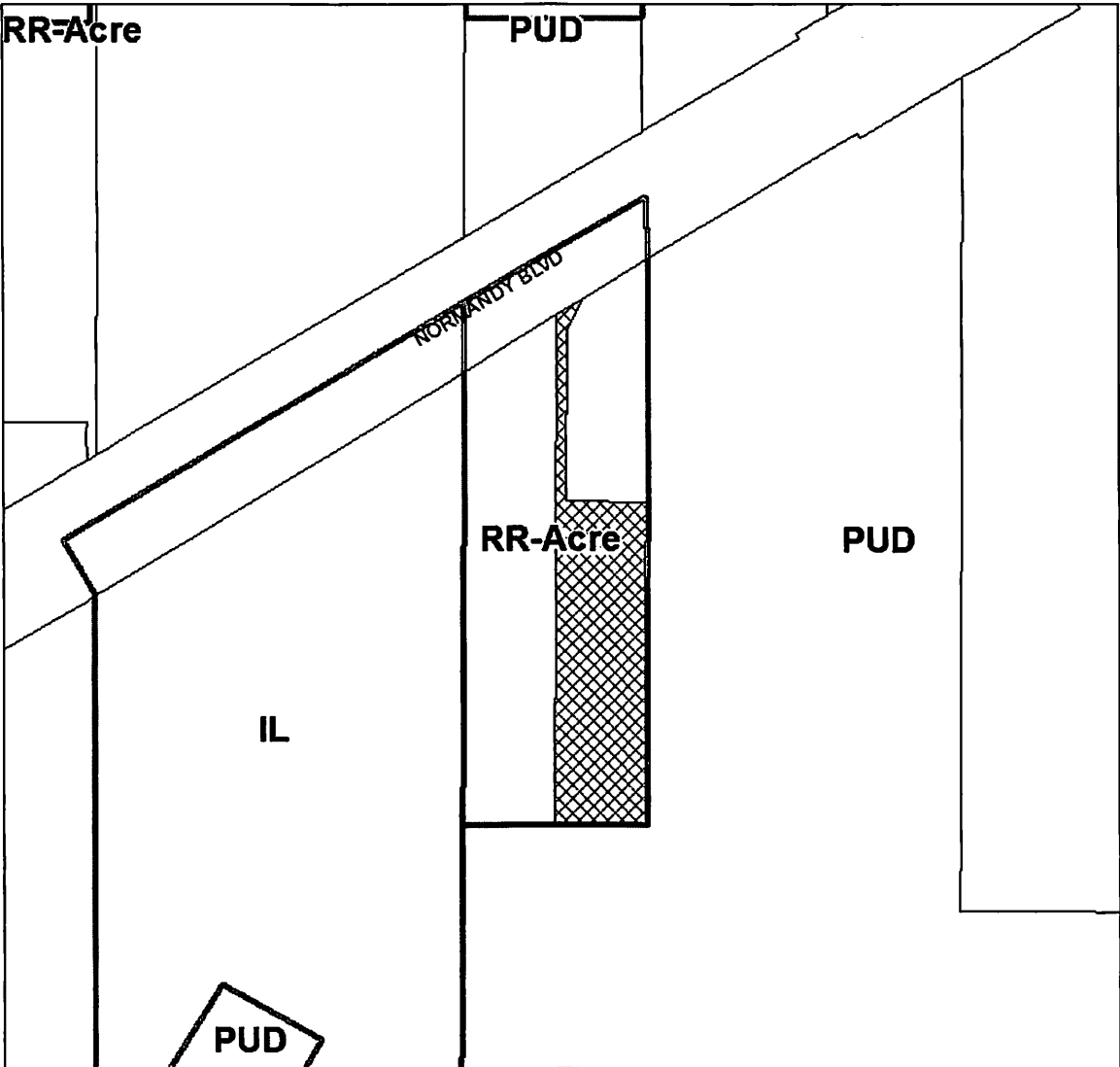
Aerial view of the subject site and parcel, facing north.

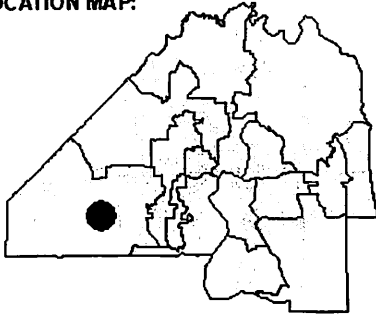
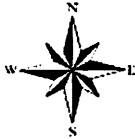
Figure B:



Source: Planning & Development Dept, 08/12/21

View of the subject property, facing south.



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: IL</p>	<p>LOCATION MAP:</p> 	 <p>0 95 190 380 Feet</p> <p>COUNCIL DISTRICT: 12</p>
<p>ORDINANCE NUMBER ORD-2021-0420</p>	<p>TRACKING NUMBER T-2021-3549</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0420 **Staff Sign-Off/Date** ATW / 05/28/2021
Filing Date 07/21/2021 **Number of Signs to Post** 1
Hearing Dates:
1st City Council 08/24/2021 **Planning Commission** 08/19/2021
Land Use & Zoning 09/08/2021 **2nd City Council** 09/14/2021
Neighborhood Association N/A
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3549 **Application Status** FILED COMPLETE
Date Started 05/13/2021 **Date Submitted** 05/13/2021

General Information On Applicant

Last Name ATWILL **First Name** FRED **Middle Name**
Company Name
 ATWILL LLC
Mailing Address
 9001 FOREST ACRES LANE
City JACKSONVILLE **State** FL **Zip Code** 32234
Phone 9046108975 **Fax** 904 **Email** ATWILLFRED15@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name BARBONE **First Name** JOHN **Middle Name**
Company/Trust Name
Mailing Address
 6355 MEMORY LANE
City JACKSONVILLE **State** FL **Zip Code** 32234
Phone 9042374288 **Fax** **Email** JOHNBARBONE@YAHOO.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 002207 0100	12	4	RR-ACRE	IL

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

Existing Land Use Category

RR

Land Use Category Proposed?

If Yes, State Land Use Application #

5566

Total Land Area (Nearest 1/100th of an Acre) 2.26

Justification For Rezoning Application

MR. BARBONE NEEDS TO CONSTRUCT A 5,000 ENCLOSED SF WAREHOUSE FOR AUTO PARTS STORAGE (E.G. NEW MUFFLERS, NEW CATALYTIC CONVERTERS ETC.).

Location Of Property

General Location

SET BACK ALONG THE SOUTH SIDE OF NORMANDY BLVD. BETWEEN POW-MIA & ALCOY

House #	Street Name, Type and Direction	Zip Code
13074	NORMANDY BLVD	32221

Between Streets

POW-MIA and ALCOY

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**
 2.26 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee**
 4 Notifications @ \$7.00 /each: \$28.00
- 4) Total Rezoning Application Cost: \$2,058.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

Legal Description

PARCEL A

Part of the Easterly ½ of Tract 6, Southerly of Normandy Boulevard (200 Foot Right of Way), Block 3 Section 11, Township 3 South, Range 24 East, Jacksonville Heights, According To The Plat Thereof Recorded In Plat Book 6, Page 93, Of the Current Public Records of Duval County, Florida, More Particularly Described As Follows; Commence At The Intersection of the Southeasterly Line of Normandy Boulevard, And the Easterly Line of Said Tract 6, Thence Southerly Along the Easterly Line of Said Tract 6, 349.99 Feet to the Point of Beginning, Thence Continue Southerly 531.76 Feet Along the Easter Line of Said Tract 6, Thence Westerly Along the Southerly Line of Said Tract 6, 161.75 Feet, Thence Northerly Along the West Line of the East ½ of Said Tract 6, 785.1 Feet Thence Northeasterly Along the Southeasterly Line of Said Normandy Blvd., 16.3 Feet, Thence Southeasterly Parallel to the Easterly Line of Said Tract 6, 261.07 Feet, Thence Easterly 147.75 Feet Parallel to the Southerly Line of Said Tract 6 To the Point of Beginning, Less and Except Any Portion As Described in Official Records Book 12784, Page 400, Of the Public Records of Duval County, Florida,

A/K/A 13074 Normandy Boulevard, Jacksonville, Fl. 32221

May 28, 2021

**Exhibit 1
Page 1 of 1**

RR-Acre

PUD

NORMANDY BLVD

RR-Acre

PUD

IL

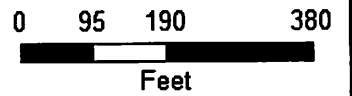
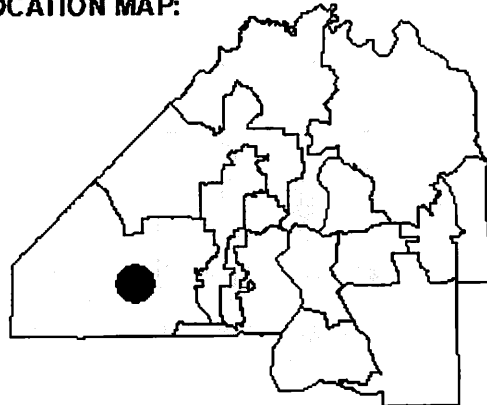
PUD

REQUEST SOUGHT:

FROM: RR-ACRE

TO: IL

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2021-3549

**EXHIBIT 2
PAGE 1 OF 1**



Availability Letter

Fred Atwill

5/7/2021

Atwill LLC

9001 Forest Acres Lane

Jacksonville, Florida 32234

Project Name: Barbone Warehouse

Availability #: 2021-1932

Attn: Fred Atwill

Thank you for your inquiry regarding the availability of Electric, Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire two years from the date above.

Point of Connection:

A summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. **It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida.** All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found at:


https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/

Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

Sincerely,

 Water, Sewer Reclaim
Availability Request Team

Availability Number: 2021-1932

Request Received On: 4/28/2021

Availability Response: 5/7/2021

Prepared by: Corey Cooper

Expiration Date: 05/07/2023

Project Information

Name: Barbone Warehouse

Address: 13074 NORMANDY BLVD, JACKSONVILLE, FL 32221

County: Duval County

Type: Electric,Sewer,Water

Requested Flow: 350

Parcel Number: 002207 0100

Location: South side of Normandy Blvd between POW-MIA & Alcoa Rd.

Description: Construction of a 50 ft by 100 ft warehouse (5,000 enclosed sf)

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1:

Connection Point #2:

Water Special Conditions: JEA does not have a water main available within ¼ mile of this property at this time.

Sewer Connection

Sewer Grid: Southwest

Connection Point #1: Existing 8-inch force main within Normandy Blvd. ROW.

Connection Point #2:

Sewer Special Conditions:

Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Request a force main connection pressure letter through the JEA Sages program by entering your availability number and accessing the project portal. If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program by entering your availability number and accessing the project portal. Development Meeting, Force Main Connection Pressure Letter and Plan Submittal

requests can be made within Step 2 of the project portal.

**Reclaimed Water
Connection**

Reclaim Grid:

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions:

Electric Availability:

Electric Special Conditions: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

General Conditions: