



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
214 N. Hogan St., Suite 300
Jacksonville, FL 32202
(904) 630-CITY
Jacksonville.gov

November 21, 2024

The Honorable Randy White
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.: 2024-821**

Dear Honorable Council President White, 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: **5-0**

Mark McGowan, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mon'e Holder, Secretary	Absent
Lamonte Carter	Aye
Amy Fu	Absent
Charles Garrison	Aye
Julius Harden	Absent

Ali Marar	Absent
Jack Meeks	Absent
Lara Diettrich (alternate)	Aye

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

Sincerely,



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

2024-0821/AD-24-71

LOCATION: 1077 Odessa Drive North
Between 1st Street West and Commonwealth Avenue

REAL ESTATE NUMBER: 048982 0000

DEVIATION SOUGHT: Sec. 656.399.46: Reduce the situational compatibility overlay zone buffer from 150-feet to 15-feet

PRESENT ZONING: RLD-60 **CURRENT LAND USE:** CGC

PROPOSED ZONING: IL **PROPOSED LAND USE:** LI

PLANNING DISTRICT: 5 **COUNCIL DISTRICT:** 9 **SIGNS POSTED:** 2

OWNER:
PC Realty-Jax, LLC
810 NW. 13th Avenue
Pompano Beach, FL 33069

AGENT:
Babette Ashley, Esq.
Brennan Manna Diamond PL
5210 Belfort Road, Suite 400
Jacksonville, Florida 32256

STANDARDS, CRITERIA AND FINDINGS

<p>1. Is this situation unique or similar to other properties in the neighborhood? -</p>	<p><u>Recommendation:</u> Unique. The subject site is located on a one-acre parcel in an RLD-60 Zoning District but seeks to rezone to IL, see 2024-0820. There is also a companion application to change the land use category from CGC to LI, see 2024-0819.</p> <p>According to Sec. 656.399.46 of the Zoning Code, a 150-foot buffer between residential districts or uses is required of properties located in the industrial situational compatibility overlay when rezoning from a residential district to an industrial district. This lot is uniquely situated between industrial and residential properties within the industrial, situational-compatibility overlay.</p> <p><u>Findings:</u></p>
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<p>2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that...</p>	<p><u>Recommendation:</u> Yes. The applicant seeks to add an infill lot to an existing industrial lot used for the handling and staging of pallets. The subject property is approximately 200 feet wide. Without the approval of this deviation, the lot would only be 50 feet wide in terms of usable space, with the remaining 150 feet designated for landscaping. In this case, the strict letter of the regulation will constitute both practical and economic difficulties.</p> <p><u>Findings:</u></p>
<p>3. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish a result that is in the public interest.</p>	<p><u>Recommendation:</u> Yes. Providing additional landscaping between the adjacent residential lots would neither benefit the property nor the surrounding residential properties. The request is based on the proposed use and size of the property, not the cost of developing the site. The proposed development is complementary to the existing industrial uses in the area.</p> <p>Additionally, adding this infill lot to the existing warehouse property, 5402 West 1st Street, will allow for vehicular access through 1st Street and negate the need to access the subject property through neighboring private property on Odessa Drive. As such, approving this deviation will serve the public's interest and benefit the neighboring residential properties.</p> <p><u>Findings:</u></p>
<p>4. The proposed deviation will not substantially diminish property values in, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation, in that...</p>	<p><u>Recommendation:</u> Yes. The requested 15-foot, landscaped buffer between the subject property and the adjacent residential properties will likely mitigate any potential disturbances. The subject property also resides next to lots used for manufacturing, warehousing, and distributing. As such, the proposed deviation will not substantially interfere with or injure the rights of others whose property would be affected by the</p>

	<p>deviation. The reduction of the landscaped buffer on the west property line will not substantially diminish property values, nor alter the essential character of the area surrounding the site.</p> <p><u>Findings:</u></p>
<p>5. The proposed deviation will not be detrimental to the public health, safety, or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law, in that...</p>	<p><u>Recommendation:</u> Yes. The requested deviation will be not detrimental to the public’s health, safety or welfare, nor will it result in a public expense. The requested reductions are reasonable given that the code ordinarily requires a 10-foot landscaped buffer between uncomplimentary zoning districts outside of the industrial compatibility overlay.</p> <p><u>Findings:</u></p>
<p>6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.</p>	<p><u>Recommendation:</u> Yes. The intent of the Zoning Code is to promote the health and safety of the public, while allowing for deviations that are within the public’s best interest. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.</p> <p><u>Findings:</u></p>
<p>7. The City landscape architect has recommended the proposed deviation <i>WITH A CONDITION</i>.</p>	<p><u>Recommendation:</u> The City landscape architect has recommended to limit the height of stacked pallets to 10 feet if a 15-foot buffer is enacted, or increase the buffer to 25 feet in order to minimize the effect of stacked pallets adjacent to the single family home.</p> <p><u>Findings:</u></p>
<p>8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.</p>	<p>N/A</p>

PLANNER RECOMMENDATION: Approve

DATE OF REPORT: November 21, 2024

Upon visual inspection by the City Planner on **October 16, 2024**, Staff found that the required Notice of Public Hearing Sign **was not** posted. The applicant subsequently posted the sign and sent the following photo as evidence:



View of existing business at 5402 1st Street West



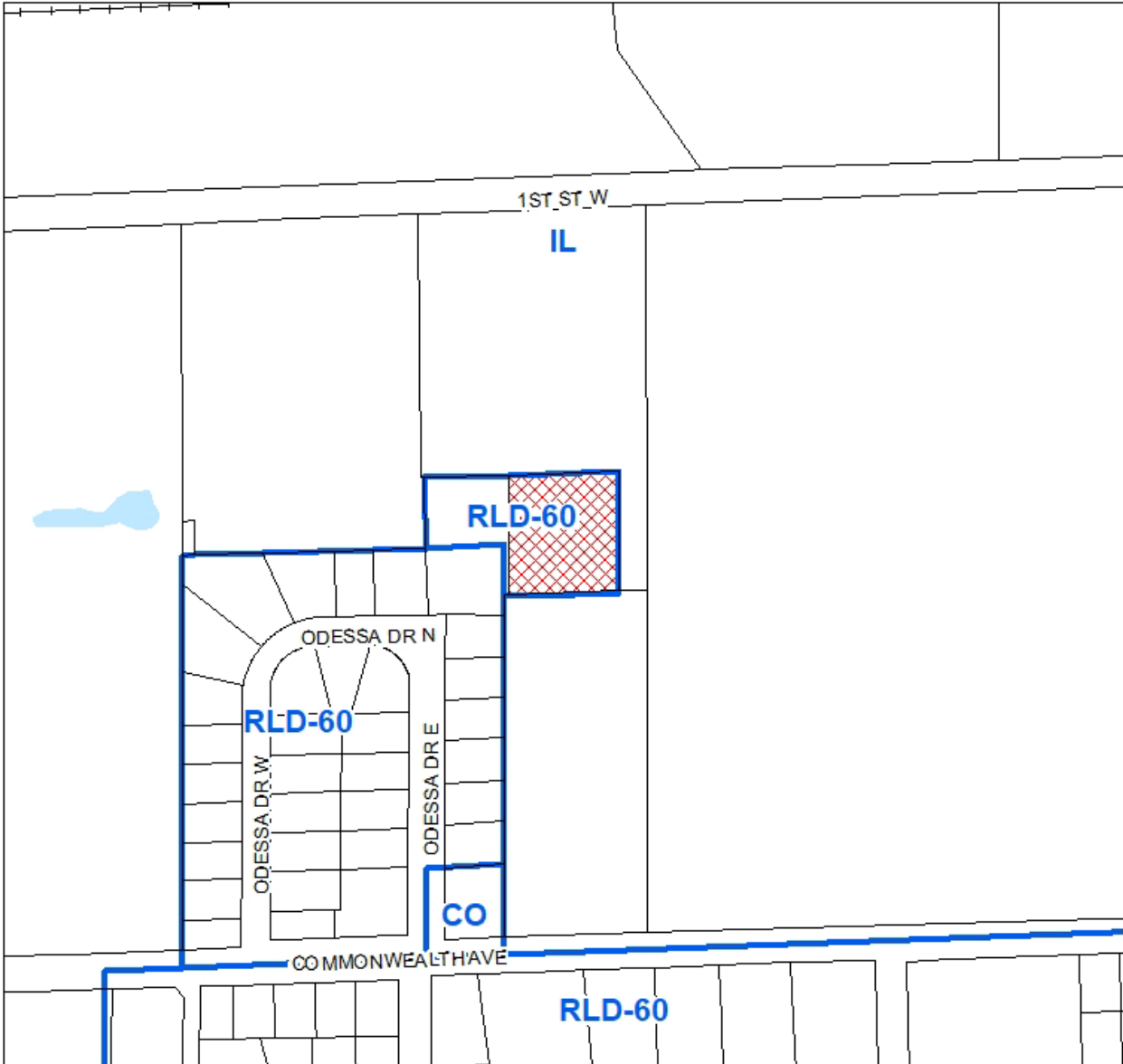
View of adjacent houses enclosing subject property from Odessa Drive North



Aerial view of subject property



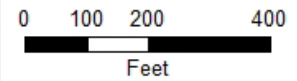
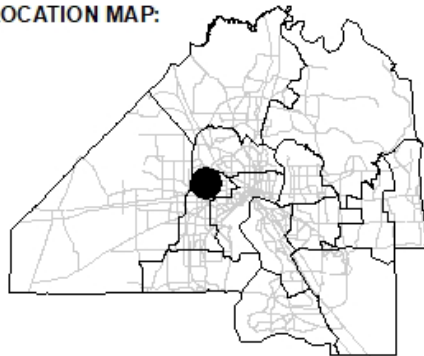
Proposed property boundaries with addition of infill lot



REQUEST SOUGHT:

**REDUCE SITUATIONAL
 COMPATIBILITY OVERLAY
 ZONE BUFFER DISTANCE
 FROM 150 FOOT BUFFER
 TO 15 FOOT BUFFER**

LOCATION MAP:



COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2024-5732

**EXHIBIT 2
 PAGE 1 OF 1**

Legal Map