

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

February 9, 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.: 2023-8**

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: 8-0

Alex Moldovan, Chair Aye

Ian Brown, Vice Chair Aye

Jason Porter, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

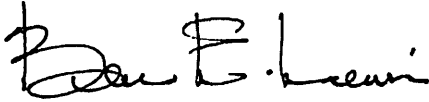
Jordan Elsbury Aye

Joshua Garrison Aye

David Hacker 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 2023-8

FEBRUARY 9, 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 2023-8.

Location: 212 Sago Avenue between New Berlin Road and Palmetto Street

Real Estate Number(s): 107460-0000, 107457-0000, 107461-0000, 107458-0000, 107459-0000

Current Zoning District(s): Residential Low Density-60 (RLD-60)
Commercial Office (CO)

Proposed Zoning District: Public Buildings and Facilities-2 (PBF-2)

Current Land Use Category: Low Density Residential (LDR)
Community General Commercial (CGC)

Planning District: North, District 6

Applicant/Agent: Josh Cockrell
The StellaRea Group
P.O. Box 28327
Jacksonville Florida 32226

Owner: Curtis Moore
First Baptist Church of Oceanway, Inc.
212 Sago Avenue
Jacksonville Florida 32218

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2023-85 seeks to rezone 2.52 acres of land from the Residential Low Density-60 (RLD-60) and Commercial Office (CO) to the Public Buildings and Facilities-2 (PBF-2) Zoning District. The PBF-2 Zoning District will allow the parcels to be used for a school. The properties currently are developed with the primary church building and

single family dwellings that have been converted to a church use. The overall site has frontage along New Berlin Road, which is classified as a collector roadway.

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 Low Density Residential (LDR) and Community General Commercial (CGC) 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. The proposed rezoning to PBF-2 for a school 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?

Policies 1.1.1 The City shall ensure that all new development and redevelopment after the effective date of the 2030 Comprehensive Plan is consistent with the Future Land Use Map series, and textual provisions of this and other elements of the 2030 Comprehensive Plan, as provided in Chapter 163 (Part II), Florida Statutes (F.S.).

1.1.8 Ensure that all future development and redevelopment meets or exceeds the requirements of all Land Development Regulations, including, but not limited to zoning, subdivision of land, landscape and tree protection regulations, and signage, as established and adopted by the City, State of Florida and the federal government, unless such requirements have been previously waived by those governmental bodies.

1.1.9 Permit development only if it does not exceed the densities and intensities established in the Future Land Use Element as defined by the Future Land Use map category description and their associated provisions.

1.1.10 Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

1.1.11 Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.

3.1.3 Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

The proposed PBF-2 Zoning District allows institutions, middle and secondary schools and colleges and universities. The size of the site will limit any adverse impacts to the surrounding area.

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. The proposed rezoning will allow the conversion of an under performing church to a private school.

SURROUNDING LAND USE AND ZONING

The subject property is located on San Juan Avenue with the surrounding uses, land use categories and zoning as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single family dwellings
East	CGC	CO	Masonic Lodge, cosmetology
South	CGC	CO	Church, offices
West	LDR	RLD-60	Single family dwellings

The proposed rezoning to PBF-2 will be consistent and compatible with the surrounding residential uses in the area.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on January 27, 2023, 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 **2023-8** be **APPROVED**.



View of subject property



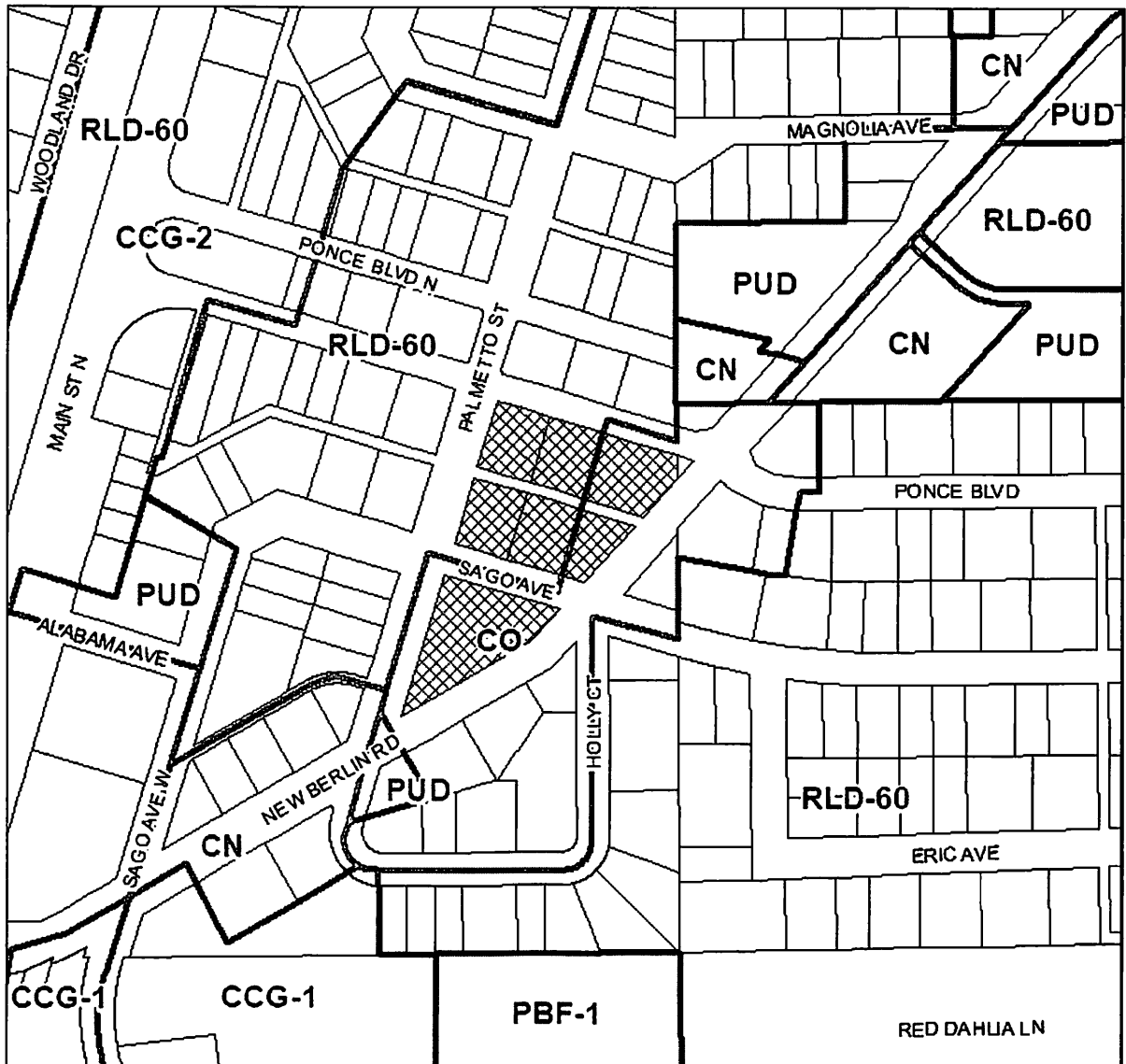
Aerial view of subject property

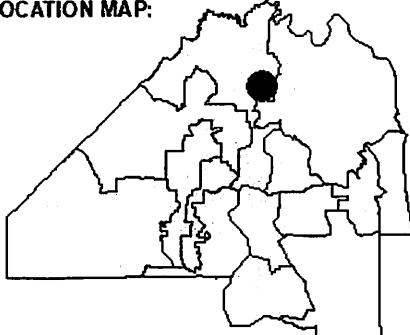
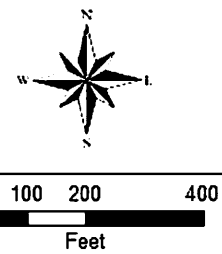


View of subject property



View of subject property



<p>REQUEST SOUGHT:</p> <p>FROM: CO & RLD-60</p> <p>TO: PBF-2</p>	<p>LOCATION MAP:</p> 	 <p>0 100 200 400 Feet</p> <p>COUNCIL DISTRICT: 7</p>
<p>ORDINANCE NUMBER ORD-2023-0008</p>	<p>TRACKING NUMBER T-2022-4621</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # **Staff Sign-Off/Date** BEL / 12/06/2022
Filing Date N/A **Number of Signs to Post** 7
Hearing Dates:
1st City Council N/A **Planning Commission** N/A
Land Use & Zoning N/A **2nd City Council** N/A
Neighborhood Association M&M DAIRY INC
Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 4621 **Application Status** FILED COMPLETE
Date Started 11/01/2022 **Date Submitted** 11/03/2022

General Information On Applicant

Last Name **First Name** **Middle Name**
 COCKRELL JOSH
Company Name
 THE STELLAREA GROUP
Mailing Address
 PO BOX 28327
City **State** **Zip Code**
 JACKSONVILLE FL 32226
Phone **Fax** **Email**
 9047204260 JOSH@STELLAREAGROUP.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info
Last Name **First Name** **Middle Name**
 MOORE CURTIS
Company/Trust Name
 TRUSTEE CORPORATION OF FIRST BAPTIST CHURCH OF OCEANWAY, INC.
Mailing Address
 212 SAGO AVENUE
City **State** **Zip Code**
 JACKSONVILLE FL 32218
Phone **Fax** **Email**

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	107460 0000	7	6	CO,RLD-60	PBF-2
Map	107457 0000	7	6	CO	PBF-2
Map	107461 0000	7	6	RLD-60	PBF-2

Map	107458 0000	7	6	RLD-60	PBF-2
Map	107459 0000	7	6	RLD-60	PBF-2

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

Existing Land Use Category

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 2.52

Justification For Rezoning Application

APPLICANT PLANS TO OPEN A CHRISTIAN AFFILIATED PRIVATE K-5 SCHOOL ON THE PROPERTY.

Location Of Property

General Location

SAGO AVENUE AND NEW BERLIN ROAD

House #	Street Name, Type and Direction	Zip Code
212	SAGO AVE	32218

Between Streets

SAGO AVENUE and NEW BERLIN 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**
 2.52 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee**
 69 Notifications @ \$7.00 /each: \$483.00
- 4) Total Rezoning Application Cost: \$2,513.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

**Legal Description
Exhibit 1
November 28, 2022**

PARCEL A

LOTS 3 AND 4, BLOCK 12 OF OCEANWAY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 49, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

PARCEL B

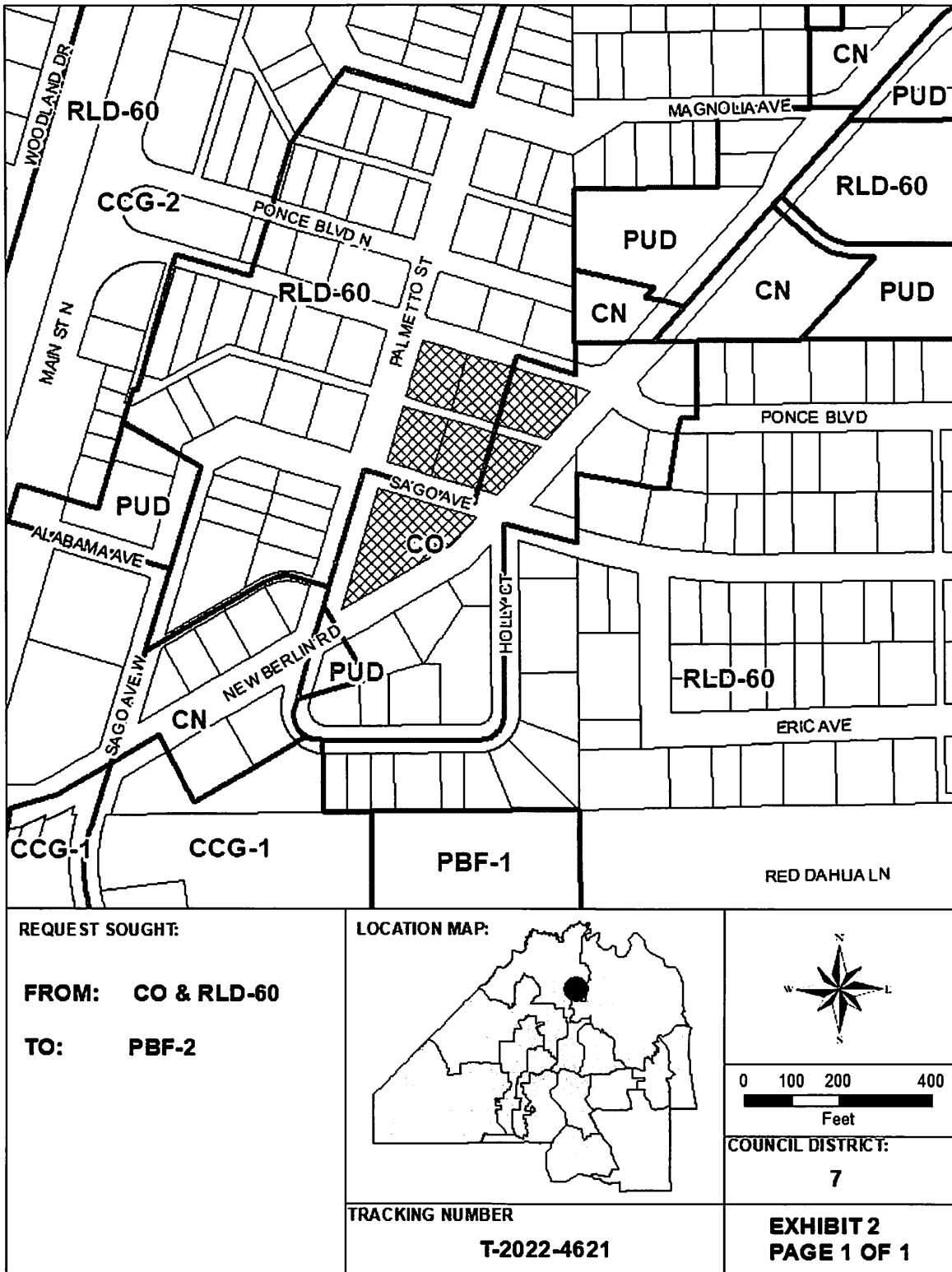
BLOCK 11 OF OCEANWAY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 49, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, TOGETHER WITH THAT PORTION OF CLOSED PALM AVENUE AS CLOSED IN BOOK 1990 PAGE 568 LESS AND EXCEPT THAT PART OF CAPTION THAT WAS TAKEN BY ORDER OF TAKING IN BOOK 7627 PAGE 2163.

PARCEL C

LOTS 5, 6, 7, 8, 9, 10, AND 11, BLOCK 12 OF OCEANWAY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 49, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA LESS AND EXCEPT THAT PART OF CAPTION THAT WAS TAKEN BY ORDER OF TAKING IN BOOK 7627 PAGE 2163.

PARCEL D

LOTS 1 AND 2, BLOCK 12 OF OCEANWAY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 49, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

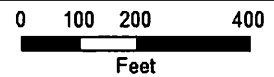
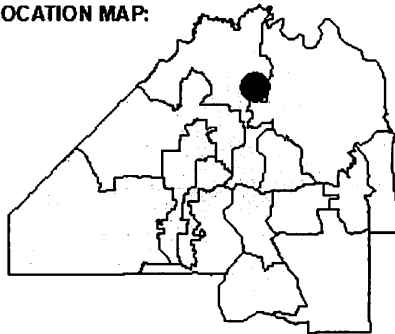


REQUEST SOUGHT:

FROM: CO & RLD-60

TO: PBF-2

LOCATION MAP:



COUNCIL DISTRICT:

7

TRACKING NUMBER

T-2022-4621

**EXHIBIT 2
PAGE 1 OF 1**