

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

June 8, 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.: 2023-300**

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

David Hacker Aye

Morgan Roberts Aye

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

Sincerely,

A handwritten signature in blue 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 2023-0300

June 8, 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 **2023-0300**.

<i>Location:</i>	926 New Berlin Road Between Camden Road and Pulaski Road
<i>Real Estate Numbers:</i>	016669 0000; 106667 0010
<i>Current Zoning District:</i>	Commercial Office (CO)
<i>Proposed Zoning District:</i>	Commercial Community/General-1 (CCG-1)
<i>Current Land Use Category:</i>	Community General Community (CGC)
<i>Planning District:</i>	North, District 6
<i>Applicant/Agent:</i>	Staci Rewis, Esq. Driver, McAfee, Hawthorne, and Diebenow, PLLC One Independent Drive, Suite 1500 Jacksonville, Florida 32202
<i>Owner:</i>	OXBOW JAX LLC 8650 Old Kings Road South, Suite 12 Jacksonville, Florida 32217
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0300** seeks to rezone 0.79± acres from Commercial Office (CO) to Commercial Community/General-1 (CCG-1) to allow retail commercial uses along New Berlin Road and Pulaski Road.

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 2045 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 2045 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. *Is the proposed rezoning consistent with the 2045 Comprehensive Plan?*

Yes. The applicant seeks to rezone the property to develop the property to allow commercial uses along New Berlin Road and Pulaski Road. The properties are two undeveloped, vacant parcels surrounded by other Commercial Office (CO) and Commercial Community/General-1 (CCG-1) properties. The site is located within the Suburban Development Area of the North Planning District and has access to full urban services.

2. *Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?*

Yes. The proposed rezoning is consistent with the listed objectives, policies, and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan. The proposed rezoning to CRO promotes a pattern of commercial uses with the surrounding area and future development.

Future Land Use Element

Policy 1.1.21

Rezonings and amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:

A. Foster vibrant, viable communities and economic development opportunities;

B. Address outdated development patterns; and/or

C. Provide sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

The proposed development will allow more commercial development in the area, something that New Berlin Road and Pulaski Road are in need of, while also complementing the existing uses along those roads.

Objective 1.6

The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill 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.

By rezoning this property from CO to CCG-1, this would allow for more commercial properties to be developed while not disrupting the current commercial and residential keeping character of the area intact.

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, the subject property will be rezoned from CO to CCG-1 Zoning District as set forth in Section 656.313 of the Zoning Code.

SURROUNDING LAND USE AND ZONING

The subject property is located near the intersection of New Berlin Road and Pulaski Road. The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CGC, LDR	CO, PUD, RLD-60	Day Care, Single Family Dwellings
East	CGC, LDR	CCG-1, CO, RLD-60	Single Family Dwellings, Vacant Commercial
South	LDR	RLD-60	Single Family Dwellings
West	CGC, LDR, RPI	CO, PUD	Office, Single Family Dwellings

SUPPLEMENTARY INFORMATION

The required Notice of Public Hearing signs **were posted** on the subject property on May 22nd, 2023.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0300** be **APPROVED**.

Aerial Photo



Source: JaxGIS Date: May 22, 2023

View of the Subject Site on New Berlin Road



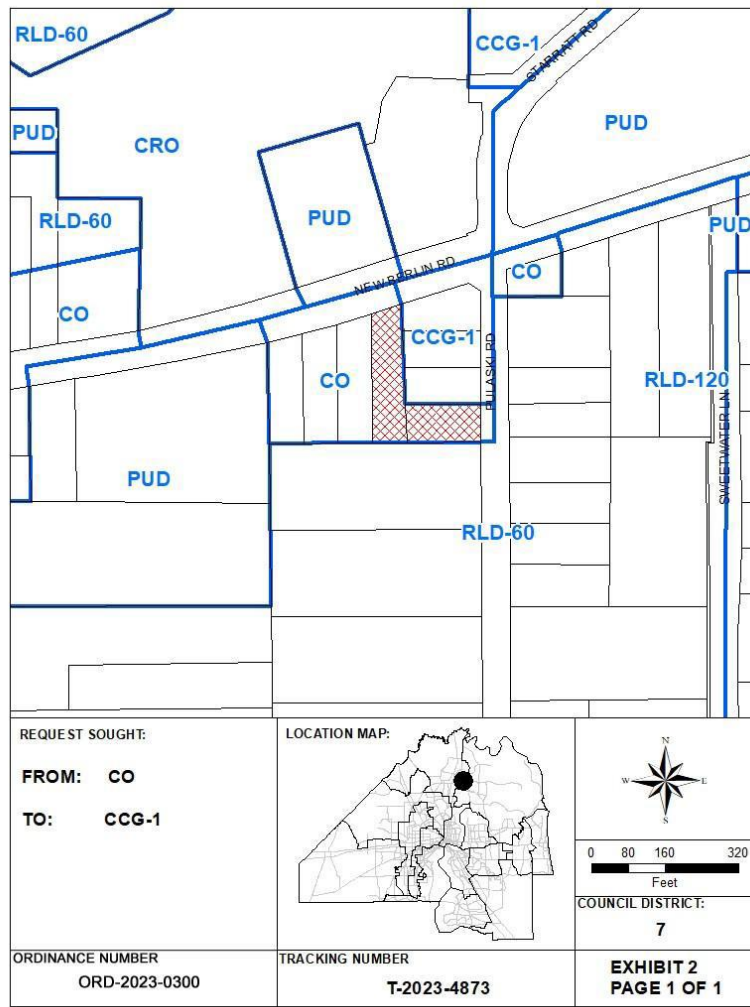
Source: Planning and Development Department Date: May 22, 2023

View of Subject Site on Pulaski Road



Source: Planning and Development Department Date: May 22, 2023

Legal Map



Source: Planning and Development Department Date: May 22, 2023