



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

February 8, 2024

The Honorable Ronald B. Salem, Pharm. D., 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.: 2024-19**

Dear Honorable Council President Salem, 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: **Deny**

Planning Commission Recommendation: **Deny**

Planning Commission Vote: **7-0**

Charles Garrison, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mark McGowan, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Julius Harden	Absent
Mon'e Holder	Absent
Ali Marar	Aye
Jack Meeks	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 fluid and cursive, with the first name "Bruce" being the most prominent.

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@jacksonville.gov

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING 2024-0019

FEBRUARY 8, 2024

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 **2024-0019**.

Location: 3694 Grandy Avenue

Real Estate Numbers: 070258-0000

Current Zoning: Commercial Office (CO)

Proposed Zoning: Commercial Residential Office (CRO)

Current Land Use Category: Residential Professional Institutional (RPI)

Planning District: District 3-Southeast

Council District: District 5

Applicant: Stephen Smith
Capione Law
501 W. Bay Street, Suite 100
Jacksonville, FL 32202

Owner: Christopher Campione
Emerson Office Complex II, LLC
501 W. Bay Street, Suite 100
Ponte Vedra Beach, FL 32202

Staff Recommendation: DENY

GENERAL INFORMATION

Application for Rezoning **2024-0019** seeks to rezone approximately 0.21± acres from Commercial Office (CO) to Commercial Residential Office (CRO) zoning district. The applicant is requesting to rezone the parcel to bring into compliance a non-conforming use of multi-family residential due to the property being under new ownership. The subject property located at the corner of Emerson Street and Grandy Ave is currently developed with a duplex. The structure was originally constructed in 1942 as a single-family dwelling with a detached single-story garage. Since that time the main dwelling and the garage have been connected with an enclosed breezeway with a second story unit having been added to the original garage. Legally non-conforming

uses/structures can continue to exist if they are not enlarged, extended, reconstructed, moved or structurally altered except to change the use of the structure to a use permitted in the district.

Commercial Office (CO) is a zoning district with limited permitted uses which serves as appropriate transitional uses between residential and nonresidential areas. Rezoning to CRO would allow for more intense uses the department finds not appropriate for the established surrounding development. Properties with frontage along Emerson Street between Hendricks Avenue and Fleet Street are zoned Commercial Office with the primary use being office space and single family residential. Local roadways branching from Emerson Street are developed with single-family residential with the adjacent properties to both the north, west and east being single-family. Approval of the rezoning could set a precedence for future properties along Emerson to seek similar up zonings to add additional commercial uses.

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 Planning and Development Department finds that the subject property is located in the Residential Professional Institutional (RPI) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2045 Comprehensive Plan. The RPI land use category in the Urban Area is intended to provide compact medium density residential development. Development which includes medium density residential and professional office uses is preferred. Limited neighborhood commercial retail and service establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicle Miles Travelled. The CRO zoning district is a primary zoning district within the RPI land use category.

While the proposed rezoning to CRO would be consistent with the RPI Land Use Category of the 2045 Comprehensive Plan the department is not supportive of a up zoning to allow for additional commercial uses.

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

No. This rezoning does not further the Goals, Objectives and Policies of the 2045 Comprehensive Plan, including the following:

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.

Approval of this rezoning request would create uses not compatible with the development patterns of the area and promote urban sprawl into a residential neighborhood. Therefore, this request would not be in compliance with Objective 1.1.

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

Approval of this application will set a precedence for future lots to request the same rezoning and would not achieve a well-balanced and organized combination of residential to non-residential area. The current zoning district Commercial Office offers commercial uses that are appropriate for the surrounding neighborhood and established pattern of development. The properties us adjacent to single-family residential to the north, west and east and business office to the south across Emerson.

Airport Environment Zone

The site is located within the 300-foot height and Hazard Zone for the Jacksonville Naval Air Station. Zoning will limit development to a maximum height of 300 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

3. Does the proposed rezoning conflict with any portion of the City's land use regulations?

No. Staff of the Planning and Development Department find that the proposed rezoning will not be in conflict with any portion of the City's land use regulations. However, the proposed CRO zoning district would not be compatible with the area. Most of the properties along Emerson Street are offices, while the properties along Grandy Avenue are single-family dwellings. Staff finds that the area is low intense commercial and residential uses, and approving the proposed rezoning to CRO would increase the intensity of the property to a wider range of commercial possibilities and set a precedence for future rezonings in the area.

SURROUNDING LAND USE AND ZONING

The subject property is located on Grandy Avenue, just east of Hendricks Avenue. The surrounding uses, land uses, and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RLD-60	Single-Family Dwelling
East	RPI	CO	Single-Family Dwelling
South	RPI	CO	Business Office
West	RPI	CO	Single-Family Dwelling

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on the required Notice of Public Hearing signs **were** posted on **January 23, 2024**.



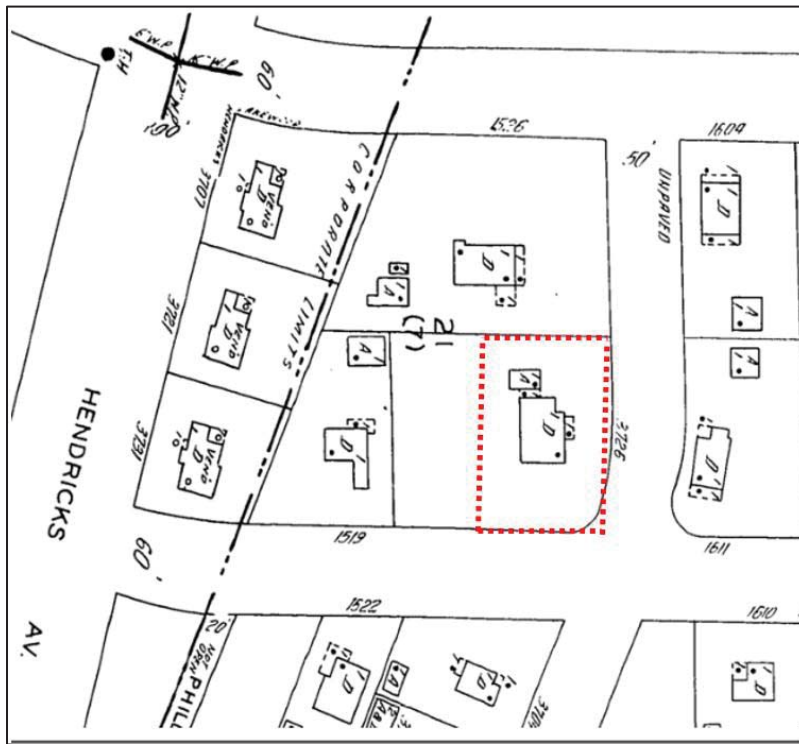
RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2024-0019** be **DENIED**.



Aerial Map

Source: Planning & Development Department, 1/22/2024



Historic Sanborn Maps



Subject Property

Source: *Planning & Development Department, 1/23/2024*



View of Subject Property along Emerson

Source: *Planning & Development Department, 1/23/2024*



Legal Map