

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.: 2021-418**

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**

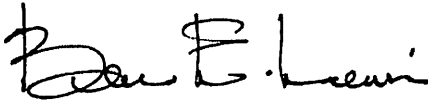
Planning Commission Commentary: There were no speakers in opposition. The Commissioners did have concerns about changing the property to industrial with the adjacent neighbor that is still residential.

Planning Commission Vote: 5-1

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Nay
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 2021-418

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 2021-418.

Location: 1239 32nd Street; south of Railroad & east of Franklin Street

Real Estate Numbers: 132367-0000

Current Zoning District: Residential Low Density-60 (RLD-60)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Light Industrial (LI)

Planning District: Urban Core, District 1

Owner/Applicant: Ethelbert Emmanuel Worrell
D. I. I. E. E. L.
1239 32nd Street East
Jacksonville, FL 32206

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2021-418 seeks to rezone a parcel, approximately 0.36 acres, from the RLD-60 to the IL zoning district in order to bring an illegal business into compliance in order to allow the property owner to run his business there. The subject property is located directly to the south of a railyard. The area immediately surrounding the subject property to the south and west are residentially zoned. The properties to the north and east are in the IL & IH zoning districts.

There is a companion Large Scale Land Use Amendment, L-5343-18A (Ord. 2019-484) requesting that the subject property be changed from Low Density Residential to Light Industrial.

On August 4, 2021, the Urban Core CPAC opined on the application. They are in opposition to the application. Their letter of opposition is included.

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. Zoning application Ordinance 2021-418 has a companion land use application, Ordinance 2021-417 / L-5561-21C that seeks a change to the land use from RLD to LI. The 0.36 of an acre subject site is located at 1239 East 32nd Street between Poplar Street and Franklin Street, all local roads. The site is currently in the LDR land use category and within the Urban Priority Development Area. The intent of the UPA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development at urban densities which are highly supportive of transit and result in the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is expected to employ urban development characteristics as further described in each land use plan category.

LI is a category which provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes. Land use changes to LI are subject to implementation of site design techniques including but not limited to: transitions in uses; buffering; setbacks; and graduated height restrictions to affect elements such as height, scale, mass and bulk of structures, vehicular traffic and associated airborne debris, circulation, access and parking impacts, landscaping, lighting, noise and odor.

2. Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?

Yes, the proposed rezoning furthers the following goals, objectives, and policies of the 2030 Comprehensive Plan's Future Land Use Element:

Policy 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 subject property is located between a single family home in RLD-60 and an industrial/manufacturing uses in the IL zoning district and the Situational Compatibility Zone for Industrial uses. The property directly abuts a railyard. This neighborhood is unique because transition between industrial uses and residential uses is lacking. The Longbranch/Tallyrand area is comprised solely of industrial or residential uses. There are no commercially zoned (CCG-1/2, CRO, CN, CO, etc.) properties in the neighborhood.

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 pending approval of the Land Use Companion Application (L-5561-21C).

SURROUNDING LAND USE AND ZONING

The subject property is located directly south of a railyard.

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North			Railyard
East	LI	IL	Industrial/Manufacturing
South	LDR	RLD-60	Vacant/Wooded lot
West	LDR	RLD-60	Single Family Home

The properties immediately adjacent to the subject site to the north and south are residential zoned and developed with single family homes. To the east and north are industrial activities.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on June 21, 2021, 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 **2021-418** be **APPROVED**.

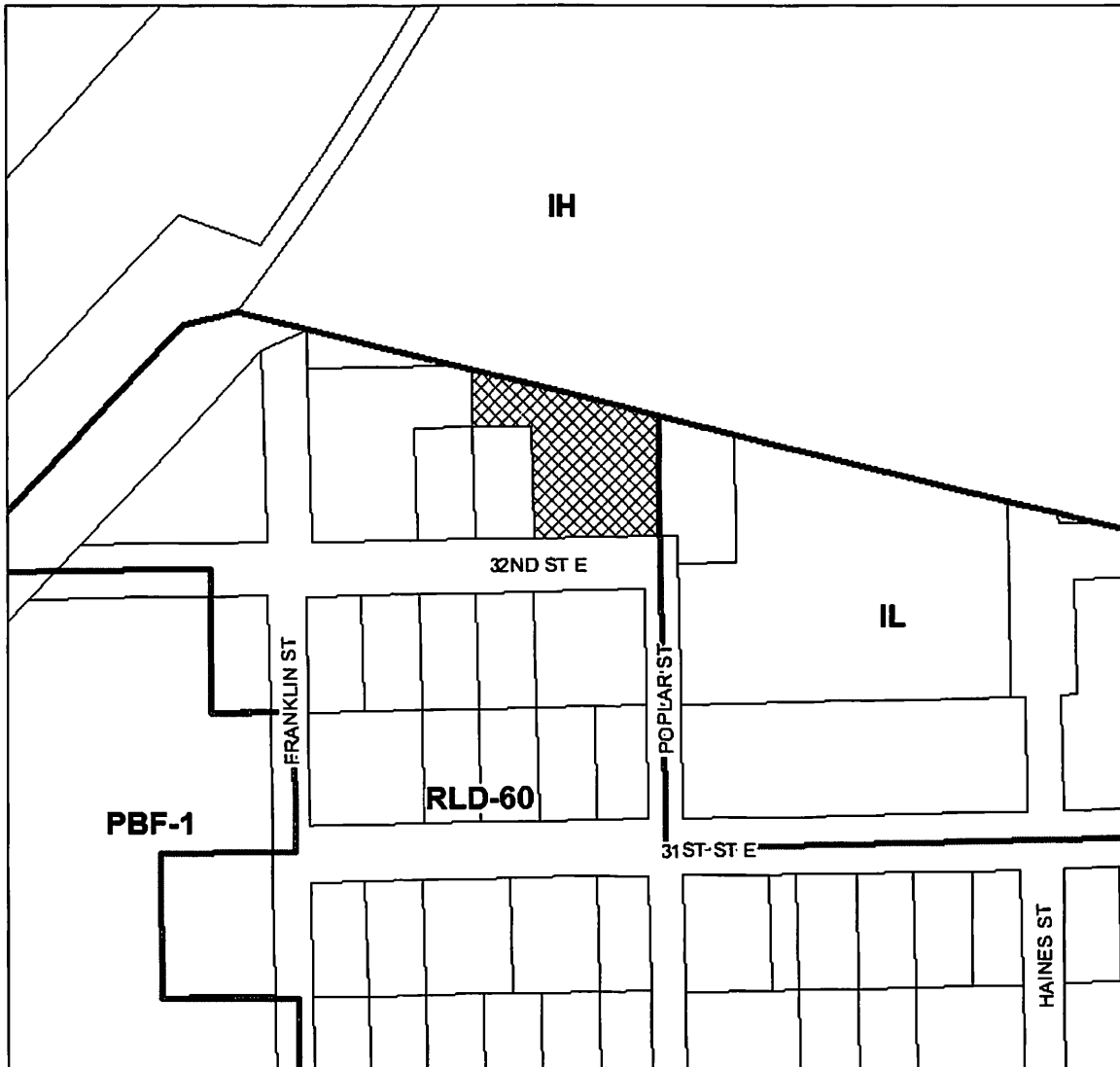


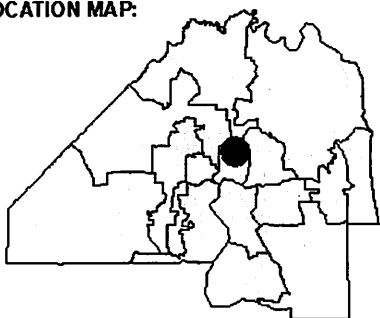

Aerial



Subject Property

*Source: COJ, Planning & Development Department
Date: 06/21/2021*



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60</p> <p>TO: IL</p>	<p>LOCATION MAP:</p> 	 <p>0 45 90 180 Feet</p>
<p>ORDINANCE NUMBER ORD-2021-0418</p>	<p>TRACKING NUMBER T-2021-3550</p>	<p>COUNCIL DISTRICT: 7</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0418 **Staff Sign-Off/Date** CMQ / 06/10/2021
Filing Date 07/27/2021 **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 EAST 21ST ST NEIGHBORHOOD ASSOCIATION; HISTORIC EASTSIDE COMMUNITY DEV CORP; WE MAKE THE SHIRTS
Neighborhood Action Plan/Corridor Study

Application Info

Tracking # 3550 **Application Status** PENDING
Date Started 05/14/2021 **Date Submitted** 05/14/2021

General Information On Applicant

Last Name WORRELL **First Name** ETHELBERT **Middle Name** EMMANUEL
Company Name
 D.I.I.E.E.L. ENT, LLC
Mailing Address
 1239 E 32ND STREET
City JACKSONVILLE **State** FL **Zip Code** 32206
Phone 9042328177 **Fax** **Email** SPRINGFORWARDDUVAL@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name WORRELL **First Name** ETHELBERT **Middle Name** EMMANUEL
Company/Trust Name
 D.I.I.E.E.L. ENT, LLC
Mailing Address
 1239 E 32ND STREET
City JACKSONVILLE **State** FL **Zip Code** 32206
Phone 9042328177 **Fax** **Email** SPRINGFORWARDDUVAL@GMAIL.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 132367 0000	7	1	RLD-60	IL

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 0.36

Justification For Rezoning Application

Location Of Property

General Location

House #	Street Name, Type and Direction	Zip Code
1239	32ND ST E	

Between Streets _____ **and** _____

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

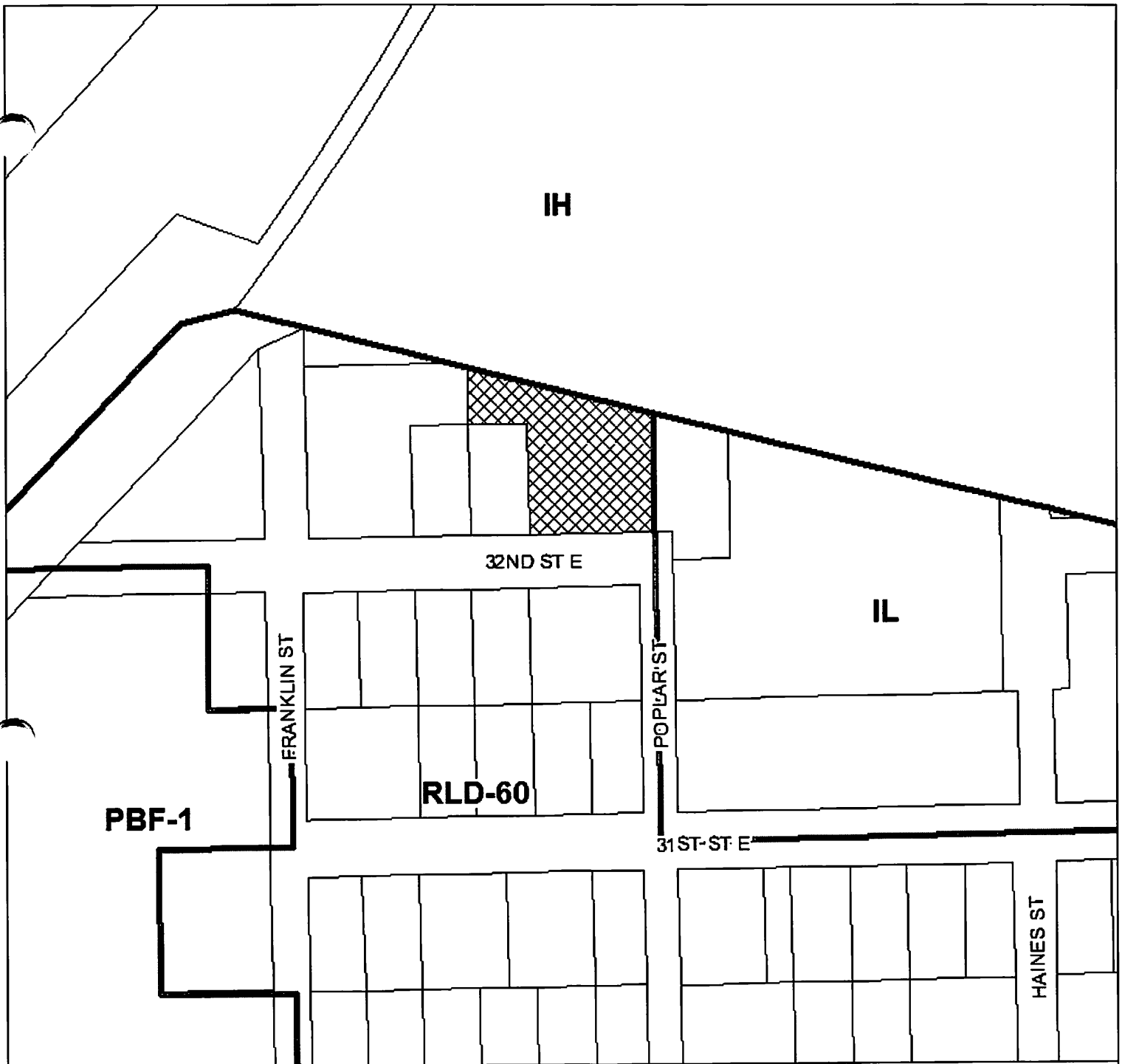
Filing Fee Information

- 1) Rezoning Application's General Base Fee: \$2,000.00**
- 2) Plus Cost Per Acre or Portion Thereof**
0.36 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee**
30 Notifications @ \$7.00 /each: \$210.00
- 4) Total Rezoning Application Cost: \$2,220.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

- 1 2-57 46-2S-27E
- 2 ST ELMO
- 3 LOTS 1,8,9,PT CLOSED RD ORD
- 4 BLK 2

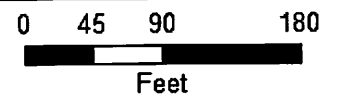
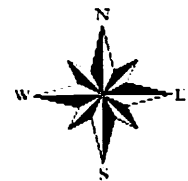
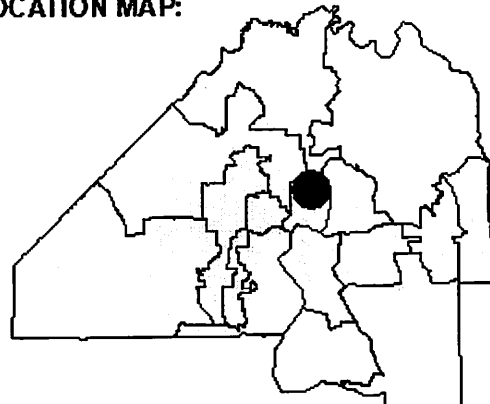


REQUEST SOUGHT:

FROM: RLD-60

TO: IL

LOCATION MAP:



COUNCIL DISTRICT:

7

TRACKING NUMBER

T-2021-3550

**EXHIBIT 2
PAGE 1 OF 1**