



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 322-2
(904) 630-CITY
www.coj.net

December 7, 2023

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.: 2023-750**

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 Commentary: There were no speakers in opposition. The Commissioners opined that a PUD may be a better option by removing specific uses.

Planning Commission Vote: **8-0**

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

Ali Marar

Aye

Jack Meeks

Absent

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

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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2023-0750

DECEMBER 07, 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 **2023-0750**.

Location: 5767, 5753, & 0, Spring Park Road
5634 & 0 Meakie Road

Real Estate Number: 153102-0000, 153107-0000, 153108-0000, 153103-0000, 153104-0000, 153099-0000

Current Zoning District: Commercial Office (CO)
Commercial Community/ General-1 (CCG-1)

Proposed Zoning District: Commercial Community/ General-2 (CCG-2)

Current Land Use Category: Community/ General Commercial (CGC)

Planning District: District 3—Southeast

Applicant: Jeremy T. Hill
Stratagem Partners
751 Oak Street Suite# 620
Jacksonville, FL 32204

Owner: Sasa Popovic
Sanford Tree Service, INC.
4930 Spring Park Road
Jacksonville, FL 32216

SJ Investments of Jacksonville, LLC
4930 Spring Park Road
Jacksonville, FL 32216

Staff Recommendation: **DENY**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0750** seeks to rezone 2.83± acres of a property from Commercial Office (CO) and Commercial Community/ General-1 (CCG-1) to Commercial Community/ General-2 (CCG-2). The property is located in the Community/ General Commercial (CGC) land use category within the Urban Priority Development Area of the Future Land Use Element of the 2045 Comprehensive Plan. The request is being sought in order to aggregate multiple contiguous parcels into one zoning district for into one single zoning designation to allow for development of a CCG-2 use.

The properties are currently developed with one 1,470 square foot building that was originally constructed as a single family dwelling and one 1147 square foot building also originally constructed as a single family dwelling. The east side of Spring Park Road is zoned predominately Commercial Office and Commercial Residential Office and acts as a transitional zoning district to the residential districts further to the east and the Commercial zoning districts to the south and west. Commercial Office (CO) is a zoning district with limited permitted uses which serves as appropriate transitional uses between residential and nonresidential areas. The properties that surround the site include single family dwellings, professional office space, and low intensity commercial uses, the department finds CCG-2 uses would be too intense for the site and the surrounding properties. Approval of this application will set a precedent for future properties owners to request the same rezoning.

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. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds the subject property to be located in the Community/ Commercial General (CGC) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2045 Comprehensive Plan. The Commercial Community General-2 Zoning District is a primary zoning district within the Community General Commercial functional land use category.

According to the Future Land Use Element (FLUE), CGC in the Urban Priority Development Area is intended to provide for compact development in nodal and corridor development patterns while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services and which abut a roadway classified as arterial or higher on the Functional Highway Classification Map.

Plan amendment requests for new CGC designations are preferred in locations which are supplied with full urban services and which abut a roadway classified as arterial or higher on the Functional Highway Classification Map. The applicant did not specify what use they will have on the property, but the proposed CCG-2 zoning is compatible with the current CGC land use category.

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:

Future Land Use Element

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 will not achieve a well-balanced and organized combination of residential to non-residential area. The current zoning district Commercial Office (CO) and Commercial Community General-1 (CCG-1) offers commercial uses that are not too intense for the area and serves as a transitional zoning district from the residential district to the north and east and the more intense

commercial districts to the south and west. CCG-2 is a district that permits the highest intensity commercial uses which will not protect or preserve the character of the surrounding residential neighborhood. Due to these reasons listed this request will not be in compliance with Goal 3.

Goal 3.1.2

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.

Approval of this rezoning request would not serve to protect nearby residential communities as there is an existing gradation of uses with less intense commercial and office zoning located near single family homes and other similar commercial.

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

No. The proposed rezoning does not conflict with any portions of the City's land use regulations. If approved, the subject property will be permitted to be developed and held to standards of the City's land use regulations but is not consistent with the surrounding uses and does not support the Goals, Objectives and Policies of the 2045 Comprehensive Plan.

SURROUNDING LAND USE AND ZONING

The subject site is located on the east side of Spring Park Road Avenue, a local roadway and is located in the Urban Priority Development Area. It is also located within Planning District 3 and Council District 4. Meakie road is currently developed with single family homes, one of which will remain after rezoning. Spring Park Road is developed with a school and nursing home to the north of the property, while there is a shopping center zoned CCG-1 one along the south, which has access to Bowden Road. The west side of Spring Park Road is developed with professional offices and single family homes.

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	PBF	CRO	Nursing Home/ Physical Therapy
East	LDR	RLD-60	Single Family Dwellings
South	CGC	CCG-1	Commercial Shopping Center
West	CGC	CCG-1	Professional offices

It is the opinion of the Planning and Development Department that the requested rezoning to CCG-2 will not be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on November 17, 2023 by the Planning and Development Department, the required Notice of Public Hearing signs **was** posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0750** be **DENIED**.



Aerial View

Source: JaxGIS Map



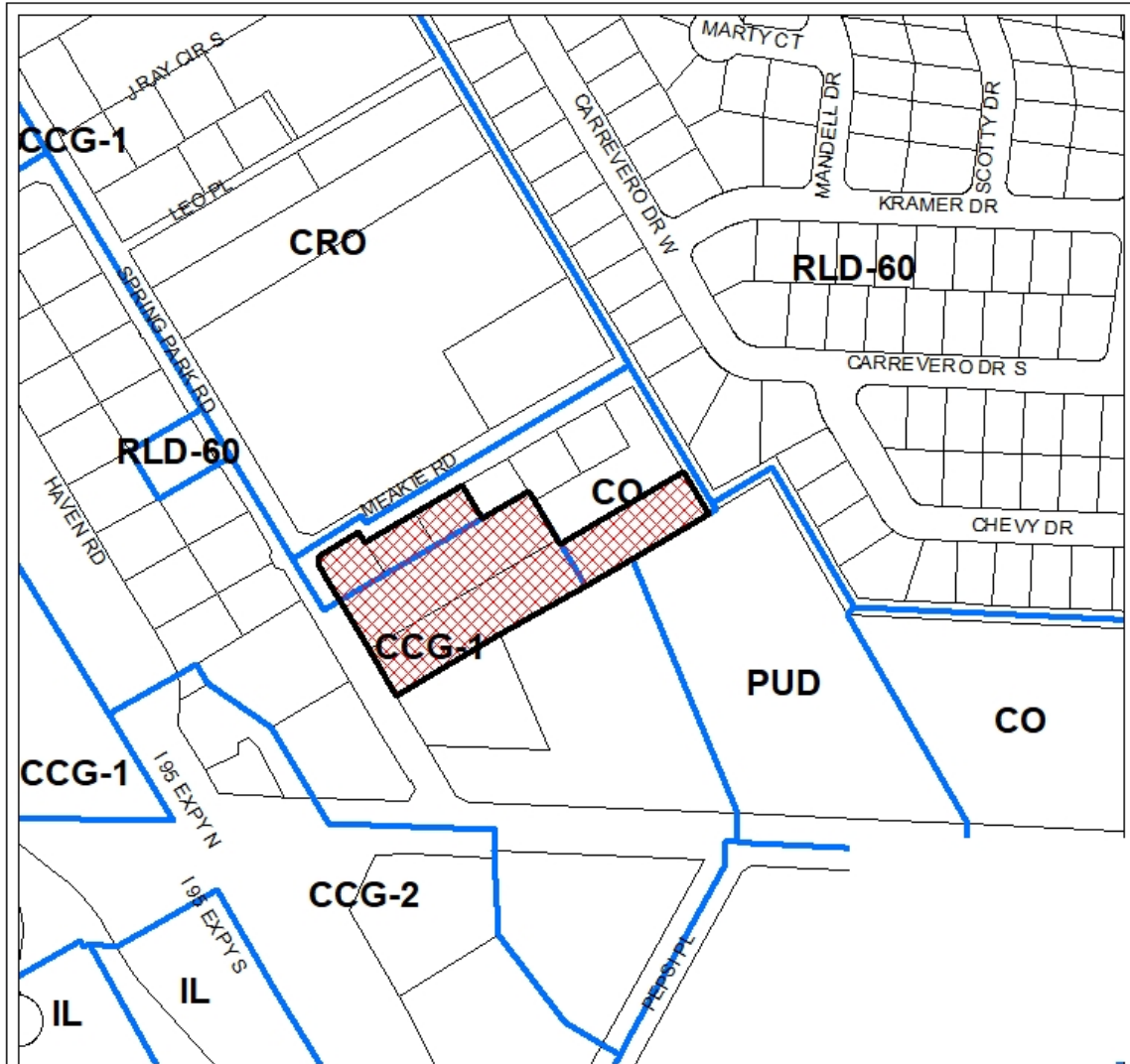
View of Subject Property Looking South
Source: Planning & Development Department 11/17/2023



View of Adjacent Single Family Home to the North
Source: Planning & Development Department 11/17/23



View of Adjacent Shopping Center to the South
Source: Planning & Development Department 11/17/2023

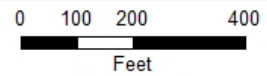
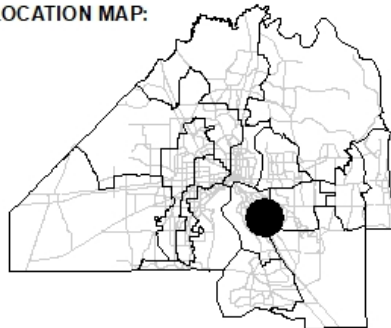


REQUEST SOUGHT:

FROM: CO & CCG-1

TO: CCG-2

LOCATION MAP:



COUNCIL DISTRICT:

4

TRACKING NUMBER

T-2023-5040

**EXHIBIT 2
 PAGE 1 OF 1**

Legal Map
 Source: JaxGIS Map