

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

November 4, 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.: 2021-748**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond 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**

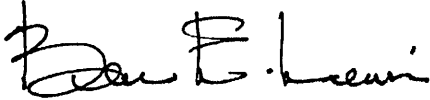
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	5-0
David Hacker, Chair	Absent
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Joshua Garrison	Aye
Dawn Motes	Absent
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, appearing to read "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B".

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 2021-0748

NOVEMBER 4, 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 **2021-0748**.

Location: 5911 Timuquana Road and 0 Timuquana Road;
Between Creekside Crossing Drive and Eulace Road

Real Estate Number: 097708-1050, 097708-1100, 097708-1110, 097708-1120, 097708-1130, 097708-1140, 097708-1150, 097708-1160, 097708-1170, 097708-1180, 097708-1190, 097708-1200, 097708-1210, 097708-1220 and 097929-0101

Current Zoning District: Commercial Office (CO)

Proposed Zoning District: Commercial Neighborhood (CN)

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

Planning District: District 4—Southwest

Applicant/Agent: Lara D. Hipps
Hipps Group, Inc.
1650 Margaret Street, #323
Jacksonville, Florida 32204

Owners: Jeff Thompson
Castom, LLC
5911 Timuquana Road, Unit 5
Jacksonville, Florida 32210

David Taylor
Timquana Office Park Association, Inc.
5911 Timuquana Road
Jacksonville, Florida 32210

Linh Truong Bradberry
Truong Investment Group, LLC
5911 Timuquana Road, Unit 5
Jacksonville, Florida 32210

Patricia Britto
Lima RE Holdings, LLC
5911 Timuquana Road, Unit 1
Jacksonville, Florida 32210

Harold Cesar
Lima Bean, LLC
5911 Timuquana Road, Unit 9
Jacksonville, Florida 32210

Staff Recommendation:

APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2021-0748** seeks to rezone 1.29± acres of a subject property from Commercial Office (CO) to Commercial Neighborhood (CN). The request is being sought to expand the allowable signage uses for current and potential tenants. The property is currently being used as an office condo park.

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. 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/General Commercial (CGC) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

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

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. According to the Future Land Use Element (FLUE), Community/General Commercial (CGC) is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Uses should generally be developed in nodal and corridor development patterns. Nodes are generally located at major roadway intersections and corridor development should provide continuity between the nodes and serve adjacent neighborhoods in order to reduce the number of Vehicle Miles Traveled. CGC also allows for multi-family residential at densities up to 40 units per acre in the Urban Area, subject to the provision that residential uses shall not be the sole use and shall not exceed 80 percent of a development.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element:

Policy 1.2.9

Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

In reference to the attached JEA Availability Letter, **2021-3172**, the proposed development shall maintain connection to City water and sewer with an estimated flow of 1,650 gpd.

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.

Although deemed an intensification in uses, the proposed rezoning at the subject site would preserve the balance between residential and nonresidential uses within the immediate area. According to the applicant, however, no new uses are anticipated.

Policy 3.2.4

The City shall permit expansion of commercial uses adjacent to residential areas only if such expansion maintains the existing residential character, does not encourage through traffic into adjacent residential neighborhoods, and meets design criteria set forth in the Land Development Regulations.

The proposed rezoning to CN would allow for an expansion in both commercial uses and signage uses—both of which would complement the adjacent residential uses and commercial uses.

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 as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from CO to CN in order to permit for larger signage uses.

SURROUNDING LAND USE AND ZONING

The subject property is located on Timuquana Road between Creekside Crossing Drive and Eulace Road. Moreover, this segment is developed almost exclusively with non-residential uses. The proposed rezoning to CN would allow for retail-related uses and larger signage options for tenants. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	RPI	CRO	Townhomes
East	CGC	CRO/CN	Undeveloped Land/Office
South	CGC	CO	Community Center
West	RPI	CN	Townhomes

It is the opinion of the Planning and Development Department that the requested rezoning to CN will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

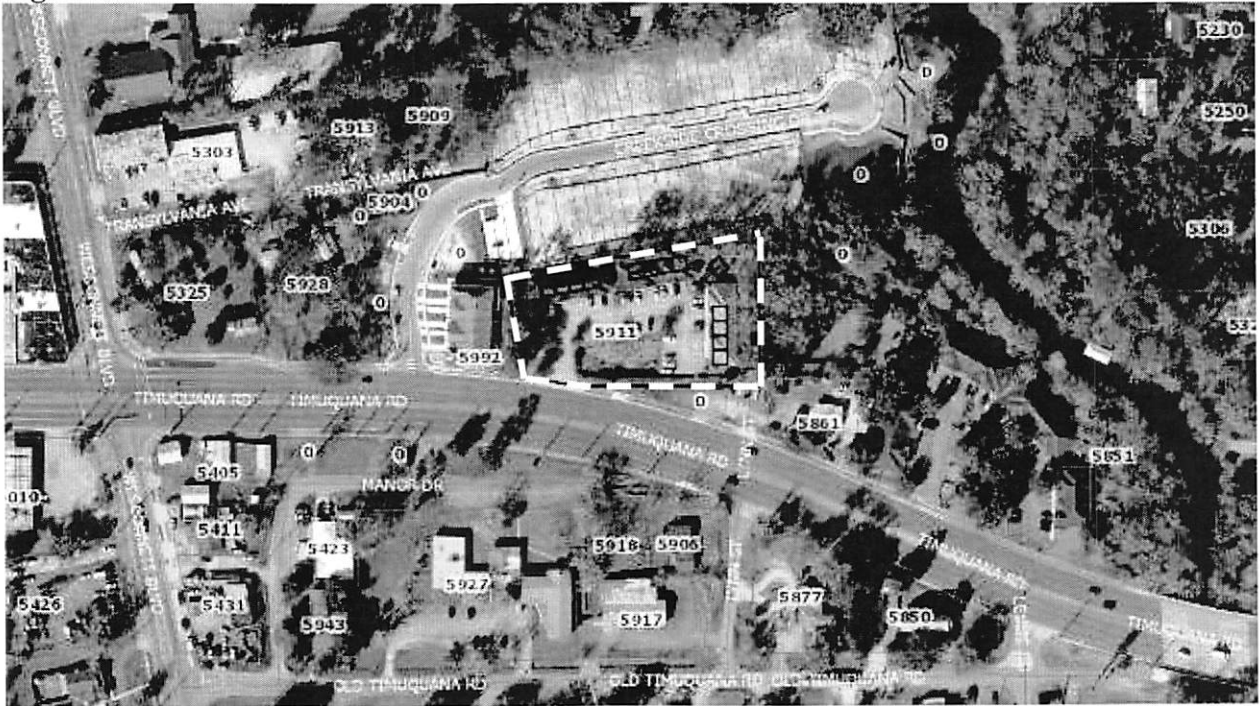
Upon visual inspection of the subject property on **October 27, 2021** by the Planning and Development Department, the required Notice of Public Hearing signs were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2021-0748 be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 09/16/21

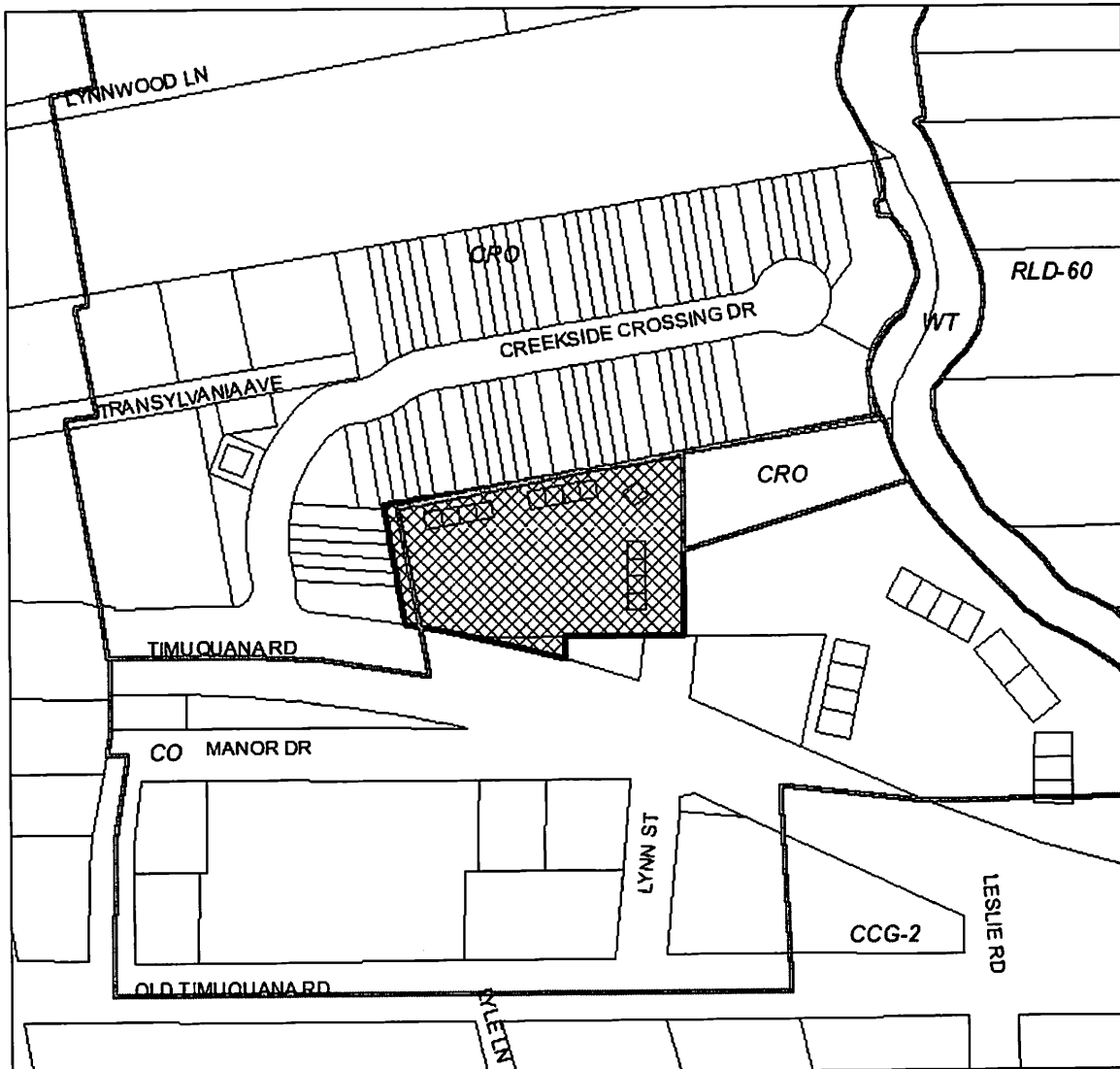
Aerial view of the subject site and parcel, facing north.

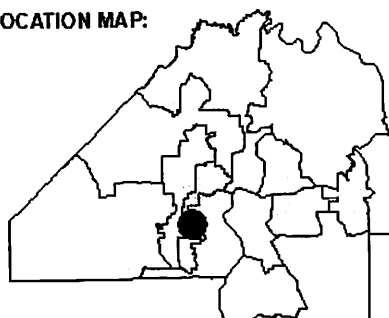
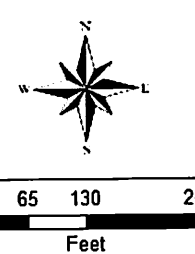
Figure B:



Source: Planning & Development Dept, 10/27/21

View of the subject property, facing north along Timuquana Road.



<p>REQUEST SOUGHT:</p> <p>FROM: CO</p> <p>TO: CN</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2021-0748</p>	<p>TRACKING NUMBER</p> <p>T-2021-3738</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0748 **Staff Sign-Off/Date** ATW / 09/16/2021
Filing Date 10/06/2021 **Number of Signs to Post** 1
Hearing Dates:
1st City Council 11/09/2021 **Planning Comission** 11/04/2021
Land Use & Zoning 11/16/2021 **2nd City Council** N/A
Neighborhood Association N/A
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3738 **Application Status** FILED COMPLETE
Date Started 08/24/2021 **Date Submitted** 08/24/2021

General Information On Applicant

Last Name HIPPS **First Name** LARA **Middle Name** DIANE
Company Name
 HIPPS GROUP INC.
Mailing Address
 1650 MARGARET STREET #323
City JACKSONVILLE **State** FL **Zip Code** 32204
Phone 9047812654 **Fax** 9047812655 **Email** LARA@HIPPSGROUPINC.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name THOMPSON **First Name** JEFF **Middle Name**
Company/Trust Name
 CASTOM LLC
Mailing Address
 5911 TIMUQUANA RD UNIT 5
City JAX **State** FL **Zip Code** 32210
Phone **Fax** **Email**

Last Name TAYLOR **First Name** DAVID **Middle Name**
Company/Trust Name
 TIMUQUANA OFFICE PARK ASSOCIATION INC
Mailing Address
 5911 TIMUQUANA RD
City JAX **State** FL **Zip Code** 32210
Phone **Fax** **Email**

Last Name **First Name** **Middle Name**
 TRUONG BRADBERRY LINH

Company/Trust Name
 TRUONG INVESTMENT GROUP LLC

Mailing Address
 5911 TIMUQUANA RD. UNIT 6

City **State** **Zip Code**
 JAX FL 32210

Phone **Fax** **Email**

Last Name **First Name** **Middle Name**
 BRITTO PARTICIA

Company/Trust Name
 LIMA RE HOLDINGS II LLC

Mailing Address
 5911 TIMUQUANA RD. UNIT 1

City **State** **Zip Code**
 JAX FL 32210

Phone **Fax** **Email**

Last Name **First Name** **Middle Name**
 CESAR HAROLD

Company/Trust Name
 LIMA BEAN LLC

Mailing Address
 5911 TIMUQUANA RD. UNIT 9

City **State** **Zip Code**
 JAX FL 32210

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 097708 1140	9	4	CO	CN
Map 097708 1110	9	4	CO	CN
Map 097708 1120	9	4	CO	CN
Map 097708 1130	9	4	CO	CN
Map 097708 1150	9	4	CO	CN
Map 097708 1160	9	4	CO	CN

Map	097708 1170	9	4	CO	CN
Map	097708 1180	9	4	CO	CN
Map	097708 1210	9	4	CO	CN
Map	097708 1190	9	4	CO	CN
Map	097708 1200	9	4	CO	CN
Map	097708 1220	9	4	CO	CN
Map	097708 1100	9	4	CO	CN
Map	097929 0101	9	4	CO	CN
Map	097708 1050	9	4	CO	CN

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

Existing Land Use Category

CGC

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 1.29

Justification For Rezoning Application

THIS REZONING IS TO ALLOW FOR LARGER SIGNAGE FOR THIS OFFICE PARK.

Location Of Property

General Location

TIMUQUANA RDWES OF LYNN ST

House #	Street Name, Type and Direction	Zip Code
5911	TIMUQUANA RD	32210

Between Streets

CREEKSIDE CROSSING DR. and EULACE RD.

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**
 1.29 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee**
 Notifications @ \$7.00 /each:
- 4) Total Rezoning Application Cost:**
 NOTE: Advertising Costs To Be Billed to Owner/Agent