

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
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Jacksonville, FL 32202
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August 17, 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.: 2023-420**

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: **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
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Absent
Marshall Adkison	Absent
Daniel Blanchard	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,



Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2023-0420

AUGUST 17, 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 **2023-0420**.

Location: 0 US 301 Highway S
Between I-10 and Fiftone Road

Real Estate Number: 000982 3000

Current Zoning District: Agriculture (AGR)

Proposed Zoning District: Commercial Community General-1 (CCG-1)

Current Land Use Category: Agriculture (AGR)

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

Planning District: District 4 – Southwest

Applicant/Agent: Fred Atwill
Atwill LLC
9001 Forest Acres Lane
Jacksonville, Florida 32234

Owner: Daniel Dudley
Dudley Boys II, LLC
11476 Pine Street
Jacksonville, Florida 32258

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0420** seeks to rezone 5.0± acres of a property from Agriculture (AGR) to Commercial Community General-1 (CCG-1). The request is being sought to allow for the development of commercial uses along U.S. 301's southern corridor.

Staff also notes a companion Small Scale Land Use Amendment L-5835-23C (**Ordinance 2023-0419**) that seeks to amend the land use from Agriculture (AGR) to Community/General Commercial (CGC).

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 that with the approval of companion Small Scale Land Use Amendment L-5835-23C (**Ordinance 2023-0419**), the subject property will be located in the Community/General Commercial (CGC) functional land use category.

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

Yes. Zoning application Ordinance 2023-0420 has a companion land use application, Ordinance 2023-0419/ L-5835-23C that is changing the land use from AGR to CGC in the Rural Development Area on the subject 5.0 acre site.

The 5.0 acre subject site is undeveloped and located along the east side of U.S. Highway 301 South, a principal arterial road, south of Interstate 10 (I-10) and Fiftone Road. The site is also located in Planning District 4, Council District 12, and the Rural Development Area. The applicant seeks to rezone the property from Agriculture (AGR) to Commercial Community/General (CCG-1) to allow for commercial development of the site. The applicant has also submitted a companion land use amendment application from Agriculture (AGR) to Community/General Commercial (CGC) which is pending concurrently.

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. Uses permitted within CGC include but are not limited to, Commercial retail sales and service establishments including auto sales, restaurants, hotel and motel, and office uses.

The proposed rezoning is consistent with the proposed CGC land use category.

Future Land Use Element (FLUE):

Goal 1

To ensure that the character and location of land uses optimize the combined potentials for economic benefit and enjoyment and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

The subject site is located in a rural area that is heavily agricultural in nature. The proposed rezoning to allow for commercial uses near the southern corridor of I-10.

Policy 3.2.1

The City shall encourage development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

The proposed commercial property is located within the southern corridor development of US301 and I-10. The proposed use is consistent with policy 3.2.1.

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 AGR to CCG-1 to permit commercial uses along US301 South's developing corridor. The subject site will be required to meet all applicable laws in regards to developing on the wetlands on site.

SURROUNDING LAND USE AND ZONING

The subject property is located near the intersection of I-10 and US Highway 301 South. The proposed rezoning to CCG-1 would allow for commercial uses along US Highway 301, a major arterial roadway. Furthermore, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	AGR, CCG, HI	AGR, IH, CCG-1	Timber, Manufacture Heavy, Store
East	AGR	AGR	Vacant Governmental

South
West

AGR
MU, AGR

AGR
PUD, AGR

Vacant Residential/Swamp
Timber, Vacant Governmental

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **July 29th, 2023** by the Planning and Development Department, 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 **2022-0420** be **APPROVED**.

Aerial View



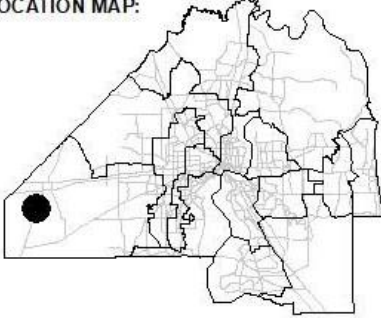

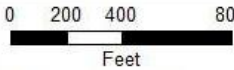
Source: *JaxGIS*, 8/2/2023
View of the Subject Site



Source: *Planning & Development Department, 8/2/2023*

Legal Map



<p>REQUEST SOUGHT:</p> <p>FROM: AGR</p> <p>TO: CCG-1</p>	<p>LOCATION MAP:</p> 	  <p>COUNCIL DISTRICT:</p> <p>12</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2023-0420</p>	<p>TRACKING NUMBER</p> <p>T-2023-4972</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Source: Planning & Development Department, 8/2/2023