



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
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March 20, 2025

The Honorable Randy White
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.: 2025-0131**

Dear Honorable Council President White, 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: **6-0**

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

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Erin L. Abney', with a stylized, flowing script.

Erin L. Abney, MPA

Chief, Current Planning Division
Planning & Development Department
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REPORT OF THE PLANNING DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2025-0131

MARCH 20, 2025

The Planning Department hereby forwards to the Planning Commission, Land Use and Zoning Committee and City Council its comments and recommendation regarding Application for Rezoning **Ord. 2025-0131**.

<i>Location:</i>	4370 Old Middleburg Road, between 103 rd Street and Fouraker Road
<i>Real Estate Numbers:</i>	013139 0020
<i>Current Zoning District:</i>	Residential Rural-Acre (RR-Acre)
<i>Proposed Zoning District:</i>	Residential Medium Density-A (RMD-A)
<i>Current Land Use Category:</i>	Low Density Residential (LDR)
<i>Proposed Land Use Category:</i>	Medium Density Residential (MDR)
<i>Planning District:</i>	District 4
<i>Council District:</i>	District 12
<i>Applicant/Agent:</i>	Patrick Honore Axod Group Inc. 12353 Harbor Winds Drive North Jacksonville, Florida 32225
<i>Owners:</i>	Barati Enterprise Inc. 4770 Barnes Road, Suite 4 Jacksonville, Florida 32207
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning **2025-0131** seeks to rezone approximately 1.68 acres of land from Residential Rural-Acre (RR-Acre) to Residential Medium Density-A (RMD-A) zoning district to

permit townhomes. There is a companion Land Use Amendment, Ordinance **2025-0130 (L-5882-23C)** which seeks to amend the land use from Low Density Residential (LDR) to Medium Density Residential (MDR).

The subject property has frontage along Old Middleburg Road, which is classified as a collector roadway. Currently, the section of Old Middleburg Road from 103rd Street to Wilson Boulevard is operating at 63% capacity. Approval of the land use amendment and companion rezoning will allow for a greater variety of housing options that address projected growth in the area.

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?

The 1.68-acre subject site is located along the west side of Old Middleburg Road North, between Noroad and Fouraker Road. Old Middleburg Road and Fouraker Road are classified as collector roadways on the City's Functional Highway Classifications Map. The subject site is within Council District 12, Planning District 4, and in the Suburban Development Area. The applicant is proposing a rezoning from RR-Acre to RMD-A and a companion land use amendment from LDR to MDR, which is pending concurrently with the rezoning application pursuant to Ordinance 2025-130.

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. MDR in the Suburban Development Area permits residential densities at a minimum of seven (7) units per acre and up to 20 units per acre when abutting land in the LDR or Rural Residential (RR) land use category (as in the case of the subject site).

In the absence of the availability of centralized potable water and/or wastewater, the maximum gross density of development permitted in MDR shall be the same as allowed in LDR without such services:

- The maximum gross density shall be two (2) units per acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available.
- The maximum gross density shall be four (4) units per acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available.

The applicant has provided a JEA Availability Letter, dated March 17, 2023, as part of the rezoning application. According to the letter, a 16-inch water main is located within the Old Middleburg Road North right-of-way. No sewer main abuts the property. A sewer main extension will be required from the existing 6-inch force main approximately 1,200 feet south of the subject site within the right-of-way at the intersection of Old Middleburg Road North and Noroad. The MDR land use category requires connection to centralized water and sewer to develop multi-family dwellings, including townhomes. The applicant has submitted a notarized centralized water and sewer connection binding acknowledgment with their land use application, stating that they agree to develop the property in accordance with all applicable centralized water and sewer requirements.

The proposed rezoning to RMD-A is consistent with the MDR land use category.

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

Yes. The proposed rezoning is consistent with the following policies of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

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 proposed rezoning with further this goal by providing a greater variety of housing options to meet the projected growth of the city.

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.

The proposed rezoning will meet this objective by allowing for the development of an existing vacant and underutilized parcel.

Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

The proposed rezoning will further this policy by allowing townhomes through the RMD-A zoning district. The RMD-A zoning district is compatible with the densities of the surrounding area.

Policy 3.1.5 The City shall provide opportunities for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

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 Department, the subject property will be rezoned from Residential Rural-Acre (RR-Acre) to Residential Medium Density-A (RMD-A) to be developed with townhomes.

SURROUNDING LAND USE AND ZONING

The subject property is located on Old Middleburg Road North, approximately $\frac{3}{4}$ of a mile north of 103rd Street. The proposed rezoning is to allow for townhomes. The surrounding areas and uses are primarily residential with single-family subdivisions located to the north, south, and east. The subject property also directly abuts wetlands/a subdivision's common area to the north. Staff also notes that there is a multi-family complex located northeast of the subject property, along Gregory Drive. Therefore, the proposed rezoning to a district that allows for townhomes is consistent with the surrounding area. Nevertheless, the surrounding uses, land use categories, and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	PUD 2002-0008-E	Single-family dwellings
South	MDR	PUD 1998-0491-E	Single-family dwellings
East	MDR	PUD 1998-0491-E	Single-family dwellings
West	LDR	RR-Acre	Single-family dwellings

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

SUPPLEMENTARY INFORMATION

Upon visual inspection by the Planning Department on **March 12, 2025**, the Notice of Public Hearing signs **were not** posted. Staff has reached out to the applicant to have the signs posted prior to the public hearing.

RECOMMENDATION

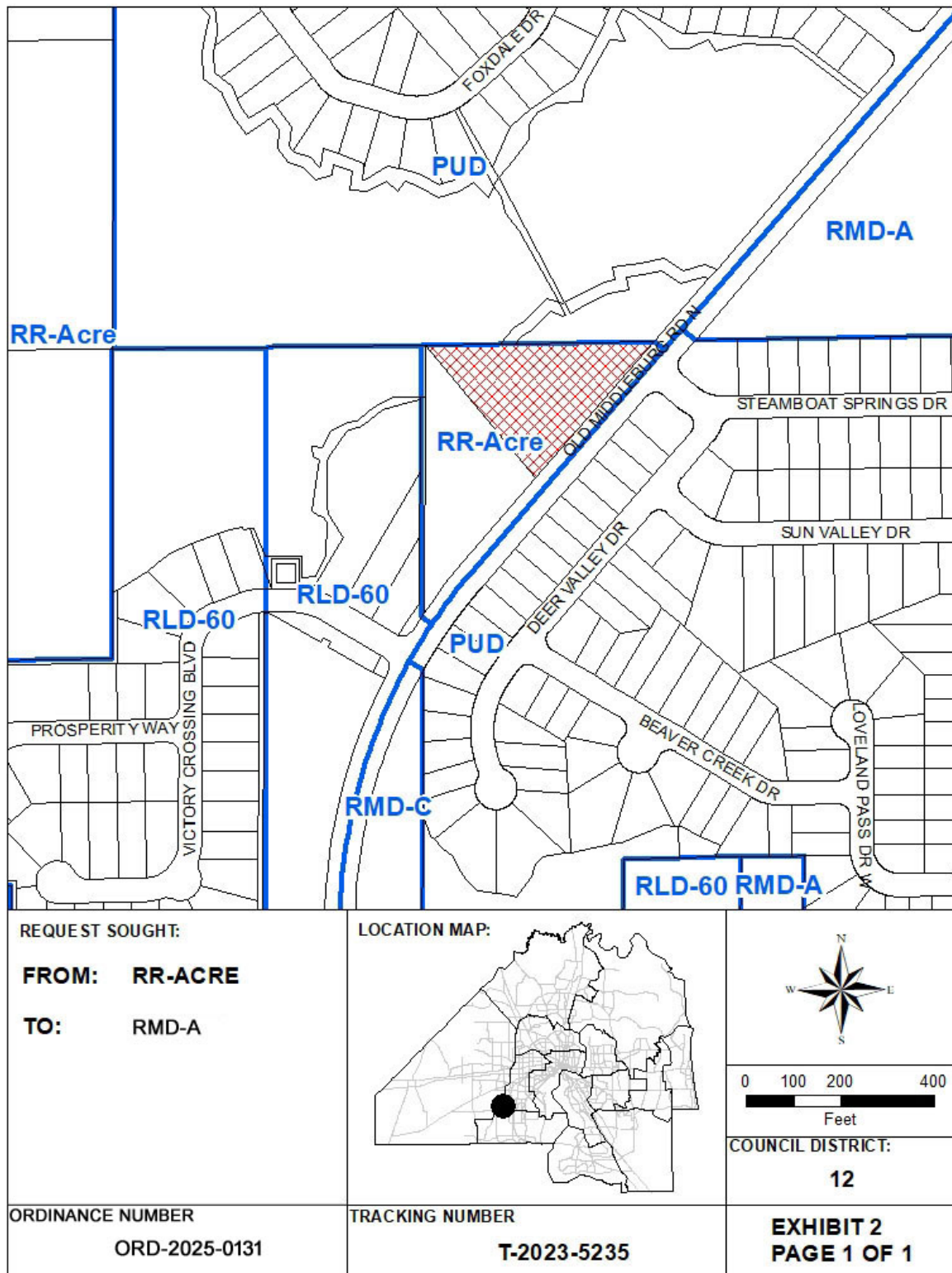
Based on the foregoing, it is the recommendation of the Planning Department that Application for Rezoning **2025-0131** be **APPROVED**.



Aerial view of the subject property facing north.



View of the subject property from Old Middleburg Road.



Legal Map