

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

April 4, 2023

The Honorable Terrance Freeman, 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.: 2023-163**

Dear Honorable Council President Freeman, 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**

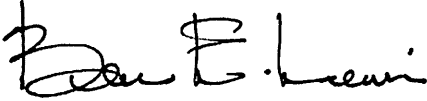
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	6-0
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
David Hacker	Absent

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 OF

APPLICATION FOR REZONING ORDINANCE 2023-0163

April 6, 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 2023-0163.

Location: 12223 Normandy Boulevard

Real Estate Number: 002172-0000, 002173-0000, 002168-0000

Current Zoning District: Commercial Community General-2 (CCG-2),
Commercial Office (CO)

Proposed Zoning District: Industrial Light (IL)

Current Zoning District: Community General Commercial (CGC)

Proposed Zoning District: Light Industrial (LI)

Planning District: Southwest, District 4

Applicant: Steve Diebenow, Esq.
One Independent Drive, Suite 1200
Jacksonville, Florida 32202

Owner: Carlybird Properties, LLC
12223 Normandy Boulevard
Jacksonville, Florida 32221
*Developed as Howell's Auto Parts

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning 2023-0163 seeks to rezone approximately 10.96± acres of land from Commercial Community General-2 (CCG-2) and Commercial Office (CO) to Industrial Light (IL). The rezoning to Industrial Light (IL) is being sought to permit industrial light uses consistent with its location within the industrial sanctuary zoning overlay. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC) functional land use category as defined by the Future Land Use Map series (FLUMs)

contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. There is a companion Land Use Amendment, 2023-0162 (L-5767-22C). The proposed LUA is for Community General Commercial (CGC) to Light Industrial (LI).

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. The Planning and Development Department finds that the subject property is located in the Light Industrial (LI) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. However, there is a companion Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5767-22C (Ordinance 2023-0162) that seeks to amend the site that is within the Community General Commercial (CGC) land use category to Light Industrial (LI). Staff is recommending that Application for Land Use Amendment be approved.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code.

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. The LI Future Land Use Category 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. Site access to roads classified as collector or higher on the Highway Functional Classification Map is preferred; except for sites located within the DIA's jurisdictional boundaries.

Future Land Use Element

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.

The proposed rezoning to Industrial Light will provide industrial uses to an area that has a variety of zoning districts.

Policy 3.2.7

The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands.

If approved, Industrial Light uses would be consistent with the character of the surrounding area.

Flood Zones

Approximately 7.8 acres of the subject site is located within the 0.2 PCT Annual Chance Flood Hazard flood zone. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100-years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

Industrial Sanctuary

The subject property is located in an area identified on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary." Industrial uses are crucial to the long-term economic well-being of the City and these areas are presumed to be appropriate for land use map amendments to industrial categories, subject to FLUE Objective 3.2 and supporting policies as well as other applicable objectives and policies. The "Industrial Sanctuary Zone" is defined as a distinct geographical area predominately consisting of industrial uses and zoning districts and strategically located for future expansion and economic development.

Policy 3.2.29

The City shall continue to update its comprehensive inventory and mapping of Industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long-term economic

well-being of the City and are identified on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational Compatibility”.

Policy 3.2.30

The area shown on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational Compatibility” are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

Airport Environment Zone

The site is located within the 150-foot Height and Hazard Zone for the Cecil Airport. Zoning will limit development to a maximum height of 150 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Objective 2.5

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities.

Approximately 10.3 acres of the amendment site section of the site is within the 60-64.99 Day-Night Sound Level (DNL) noise contour range. As such this area is within the Civilian Influence Zone for Cecil Airport. In accordance with Section 656.1010, the plat for a subdivision shall indicate which lots are located within a Civilian Influence Zone. No person shall sell, transfer, or lease land within a Civilian Influence Zone, unless the prospective owner, transferee or lessee has been given a disclosure of airport proximity in writing, at the time of contract of sale, transfer, or lease.

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 CCG-2 and CO to IL in order to allow for the applicant to use the property for IL uses that remain consistent with its location within the Industrial Sanctuary zoning overlay. It is currently Howell's Auto Parts, which has been in existence for a few decades.

SURROUNDING LAND USE AND ZONING

The 10.96± acre subject site is currently used as an auto parts business and as outdoor storage. The subject site is located along the north side of Normandy Boulevard (SR 228), a principal arterial

roadway, between Sarvis Road East, a local road, and Cecil Commerce Center Parkway, a principal arterial road.

The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	MU	PUD (1997-1064)	Vacant Governmental
South	MU	PUD (1997-1064)	Vacant Governmental
East	CGC	CO	Vacant Commercial
West	RR	RR-ACRE	Vacant Residential

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **March 17, 2023**, 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 **2023-0163** be **APPROVED**.



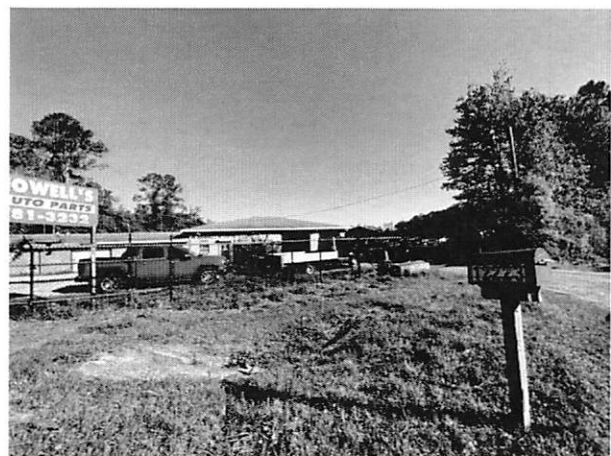
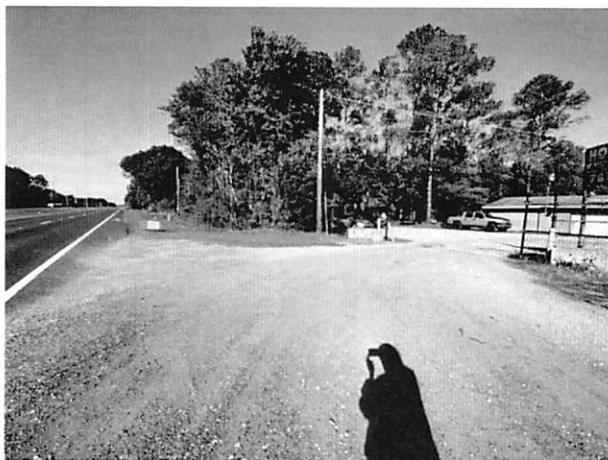
Aerial View

Source: JaxGIS Map



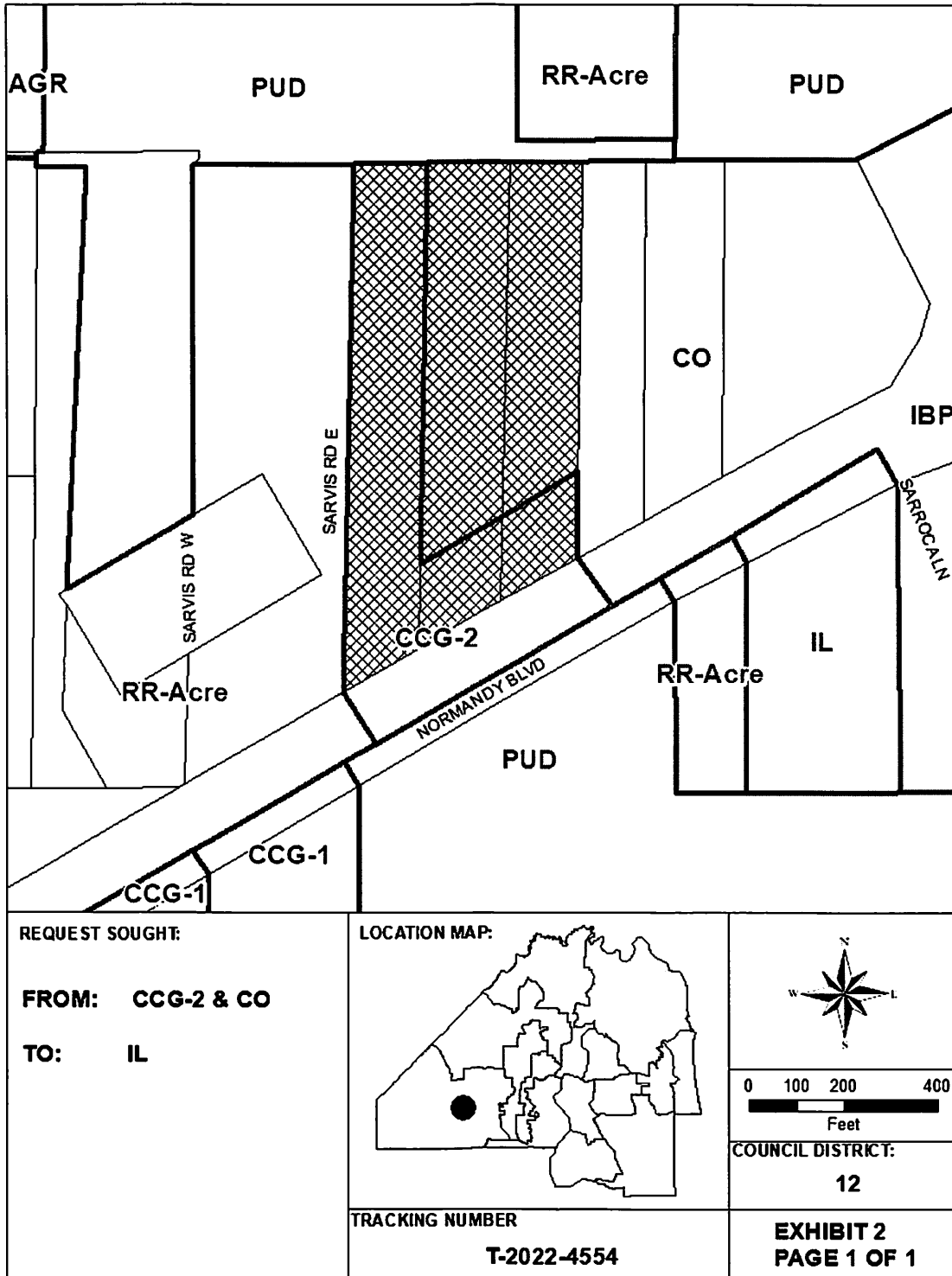
View of the subject property.

Source: JaxGIS



View of the subject property.

Source: GoogleMaps



Legal Map
 Source: JaxGIS Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2023-0163 **Staff Sign-Off/Date** CAF / 03/09/2023
Filing Date N/A **Number of Signs to Post** 2
Hearing Dates:
1st City Council 04/11/2023 **Planning Commission** 04/06/2023
Land Use & Zoning 04/18/2023 **2nd City Council** 04/25/2023
Neighborhood Association N/A
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4554 **Application Status** SUFFICIENT
Date Started 09/28/2022 **Date Submitted** 10/05/2022

General Information On Applicant

Last Name DIEBENOW **First Name** STEVE **Middle Name**
Company Name
Mailing Address
 ONE INDEPENDENT DRIVE, STE. 1200
City JACKSONVILLE **State** FL **Zip Code** 32202
Phone 9043011269 **Fax** 9043011279 **Email** SDIEBENOW@DRIVERMCAFFEE.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name N/A **First Name** N/A **Middle Name**
Company/Trust Name
 CARLYBIRD PROPERTIES, LLC
Mailing Address
 12223 NORMANDY BOULEVARD
City JACKSONVILLE **State** FL **Zip Code** 32221
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 002172 0000	12	4	CCG-2	IL
Map 002173 0000	12	4	CCG-2,CO	IL
Map 002168 0000	12	4	CCG-2,CO	IL

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 #

5767

Total Land Area (Nearest 1/100th of an Acre) 10.96

Justification For Rezoning Application

APPLICANT SEEKS THIS REZONING TO PERMIT INDUSTRIAL LIGHT USES CONSISTENT WITH ITS LOCATION WITHIN THE INDUSTRIAL SANCTUARY ZONING OVERLAY.

Location Of Property

General Location

NORTH OF NORMANDY BOULEVARD AND WEST OF CECIL COMMERCE CENTER PARKWAY

House #	Street Name, Type and Direction	Zip Code
12223	NORMANDY BLVD	32221

Between Streets

NORMANDY BOULEVARD and CECIL COMMERCE CENTER PARKWAY

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

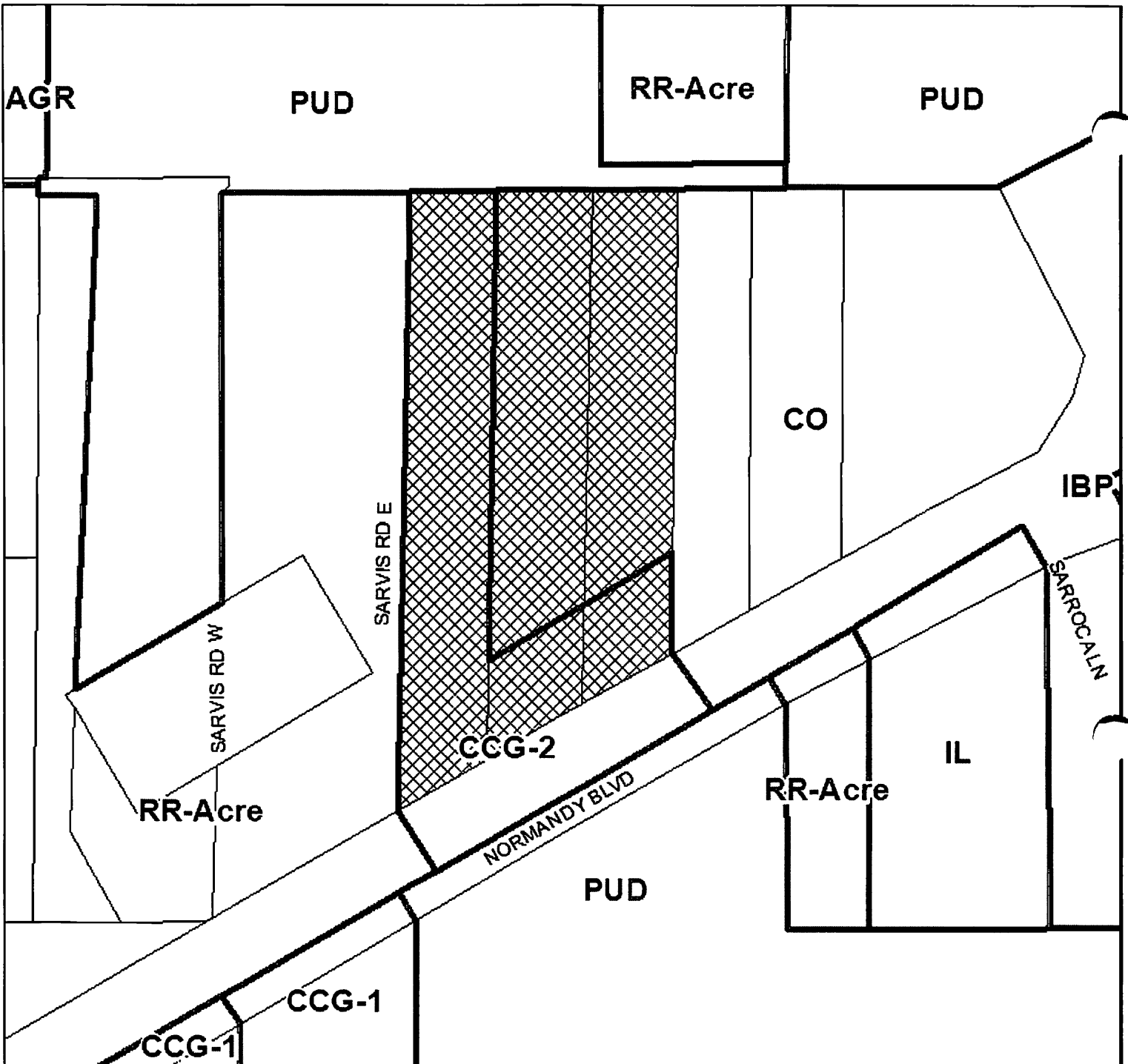
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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
10.96 Acres @ \$10.00 /acre: \$110.00
- 3) Plus Notification Costs Per Addressee
9 Notifications @ \$7.00 /each: \$63.00
- 4) Total Rezoning Application Cost: \$2,173.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

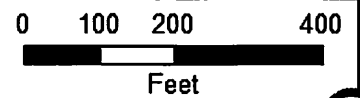
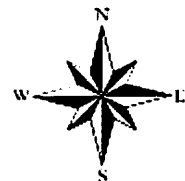
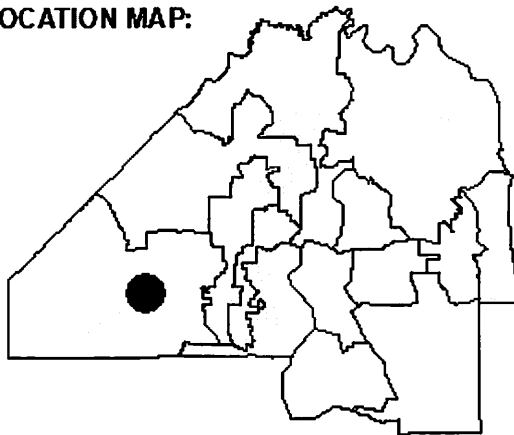


REQUEST SOUGHT:

FROM: CCG-2 & CO

TO: IL

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2022-4554

**EXHIBIT 2
PAGE 1 OF 1**

EXHIBIT 1

LEGAL DESCRIPTION

October 5, 2022

PARCEL #1:

All that part of the West half (W 1/2) of Tract Three (3), Block One (1), Section Eleven (11), Township Three (3) South, Range Twenty-four (24) East, Jacksonville Heights, according to a plat thereof as recorded in Plat Book Five (5), Page Ninety-three (93), of the current public records of Duval County, Florida, lying on the North side of Normandy Boulevard (Florida State Road #228).

PARCEL#2

All that part of the East half (E 1/2) of Tract Four (4), lying on the North side of Normandy Boulevard, in Block One (1), Section Eleven (11), Township Three (3) South, Range Twenty-four (24) East, Jacksonville Heights, according to plat thereof recorded in Plat Book 5, Page 93, of the current public records of Duval County, Florida.

Excepting therefrom any part thereof reserved for public roads or canals.

PARCEL#3

All that part of the West one-half (W 1/2) of Tract Four (4), Block One (1), Section Eleven (11), Township Three (3) South, Range Twenty-seven (27) East, Jacksonville Heights, according to plat recorded in Plat Book S, Page 93, of the current public records of Duval County, Florida, lying and being on the North side of Normandy Boulevard, as now established, (Florida State Road #228), and excepting therefrom a strip of land Fifteen (15) feet deep along the lines of the proposed roads to be dedicated for public use as a thoroughfare.



Availability Letter

William Byers

10/12/2022

Almond Engineering

6277 Dupont Station Ct. E., Unit 1

Jacksonville, Florida 32217

Project Name: 12223 Normandy Blvd Industrial Storage

Availability #: 2022-3769

Attn: William Byers

Thank you for your inquiry regarding the availability of Electric, Reclaim, Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire two years from the date above.

Point of Connection:

A summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. **It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida.** All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found at:

https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/

Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal

processes can be found at

https://www.jea.com/water_and_wastewater_development

incerely,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2022-3769

Request Received On: 10/5/2022

Availability Response: 10/12/2022

Prepared by: Michelle Otts

Expiration Date: 10/11/2024

Project Information

Name: 12223 Normandy Blvd Industrial Storage

Address: 12223 NORMANDY BLVD, JACKSONVILLE, FL 32221

County: Duval County

Type: Electric,Reclaim,Sewer,Water

 Requested Flow: 660

Parcel Number: 002172 0000

Location: north side of Normandy Blvd, 2500' west of SR 23

Description: Auto Parts site converting to Outdoor Industrial Storage

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1:

Connection Point #2:

Water Special Conditions: JEA does not have a water main available within ¼ mile of this property at this time.

Sewer Connection

Sewer Grid: Southwest

Connection Point #1:

Connection Point #2:

Sewer Special Conditions: JEA does not have a sewer main available within ¼ mile of this property at this time.

Reclaimed Water Connection

Reclaim Grid: N/A

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions: JEA does not anticipate having reclaim water in this area in the foreseeable future.

Electric Connection

Electric Availability:

Electric Special Conditions: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

General Conditions:

**Subsequent steps you need
to take to get service:**