

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

December 8, 2022

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.: 2022-828**

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**

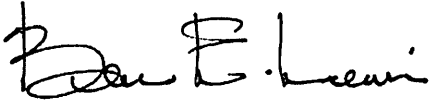
Planning Commission Recommendation: **Approve**

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	Absent
Joshua Garrison	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 that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

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**

**APPLICATION FOR REZONING ORDINANCE 2022-0828**

**DECEMBER 8, 2022**

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 **2022-0828**.

***Location:*** 6145 Transylvania Avenue

***Real Estate Numbers:*** 097524-0000

***Current Zoning District:*** Commercial Office (CO)

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

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

***Planning District:*** Southwest, District 4

***Applicant/Agent*** Angela K. Farford, Esq.  
Birchfield & Humphrey, P.A.  
320 Town Plaza Avenue, Suite 120  
Jacksonville, Florida 32081

***Owner:*** Eric Rubenstein  
ZKM Holdings LLC  
5211 Blanding Boulevard  
Jacksonville, Florida 32210

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2022-0828** seeks to rezone approximately 0.17± acres of property from Commercial Office (CO) to Commercial Community/General-1 (CCG-1) in order to expand a pawn shop. The existing pawn shop, Jax Jewelry & Pawn, is located at 5211 Blanding Boulevard and has been operating for over ten years. The subject property currently contains a single-family home. The applicant is also seeking a companion Zoning Exception **2022-0829 (E-22-71)** to permit the proposed pawn shop.

**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 0.17 acre subject site is located at 6145 Transylvania Avenue, a local road. The site is in Planning District 4 (Southwest) and Council District 9. The site is in the Community/General Commercial (CGC) land use category and within the Urban Development Area.

CGC land use in the Urban Development Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure. Development that includes residential uses is preferred to provide support for commercial and other uses. Principal uses in the CGC land use category in the Urban Development Area include Commercial retail sales and service establishments including auto sales, restaurants, hotels and motels, offices, business and professional offices.

The proposed rezoning is consistent with the CCG land use category and 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. This proposed rezoning to Commercial Community/General-1 (CCG-1) is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

**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 expansion of a pawn shop will achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses and complies with Goal 3.*

**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 expansion of a pawn shop will be consistent with Policy 3.2.4.*

**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 CCG-1 allowing for the expansion of an existing pawn shop which is a permitted use by exception within this zoning district.

**SURROUNDING LAND USE AND ZONING**

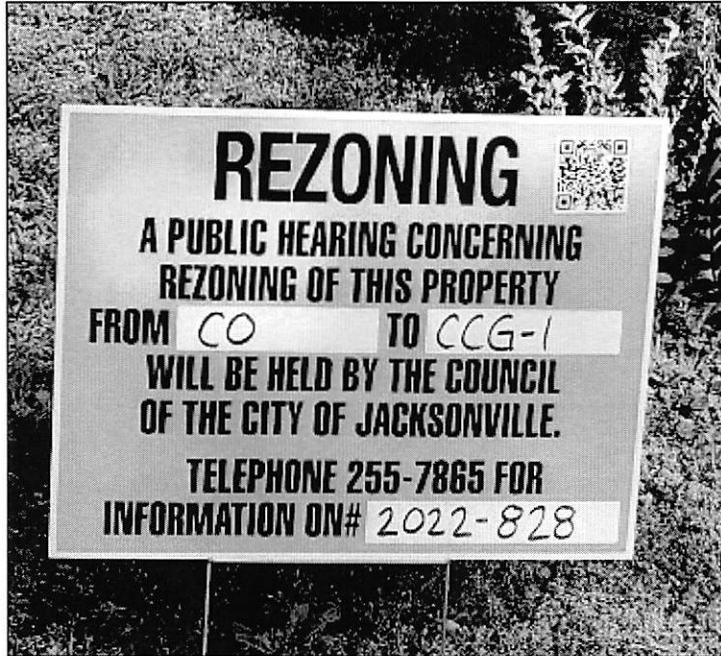
The subject site is located between Blanding Boulevard and Transylvania Avenue. The surrounding area is zoned for residential living and commercial uses. This request for rezoning to CCG-1 would not create lots out of character for the surrounding area. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	CCG-1	Blood Donor Station
South	CGC	PUD 1999-1099	Single Family Dwellings, Retail Stores
East	CGC	CO	Single Family Dwellings
West	CGC	CCG-1	Pawn Shop

It is the opinion of the Planning and Development Department that the requested rezoning to CCG-1 will be consistent and compatible with the surrounding uses.

**SUPPLEMENTARY INFORMATION**

Upon visual inspection of the subject property on **November 30, 2022** 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 **2022-0828** be **APPROVED**.



Source: JaxGIS Map

Aerial View



*Source: Planning & Development Department 11/30/2022*  
**View of subject property**

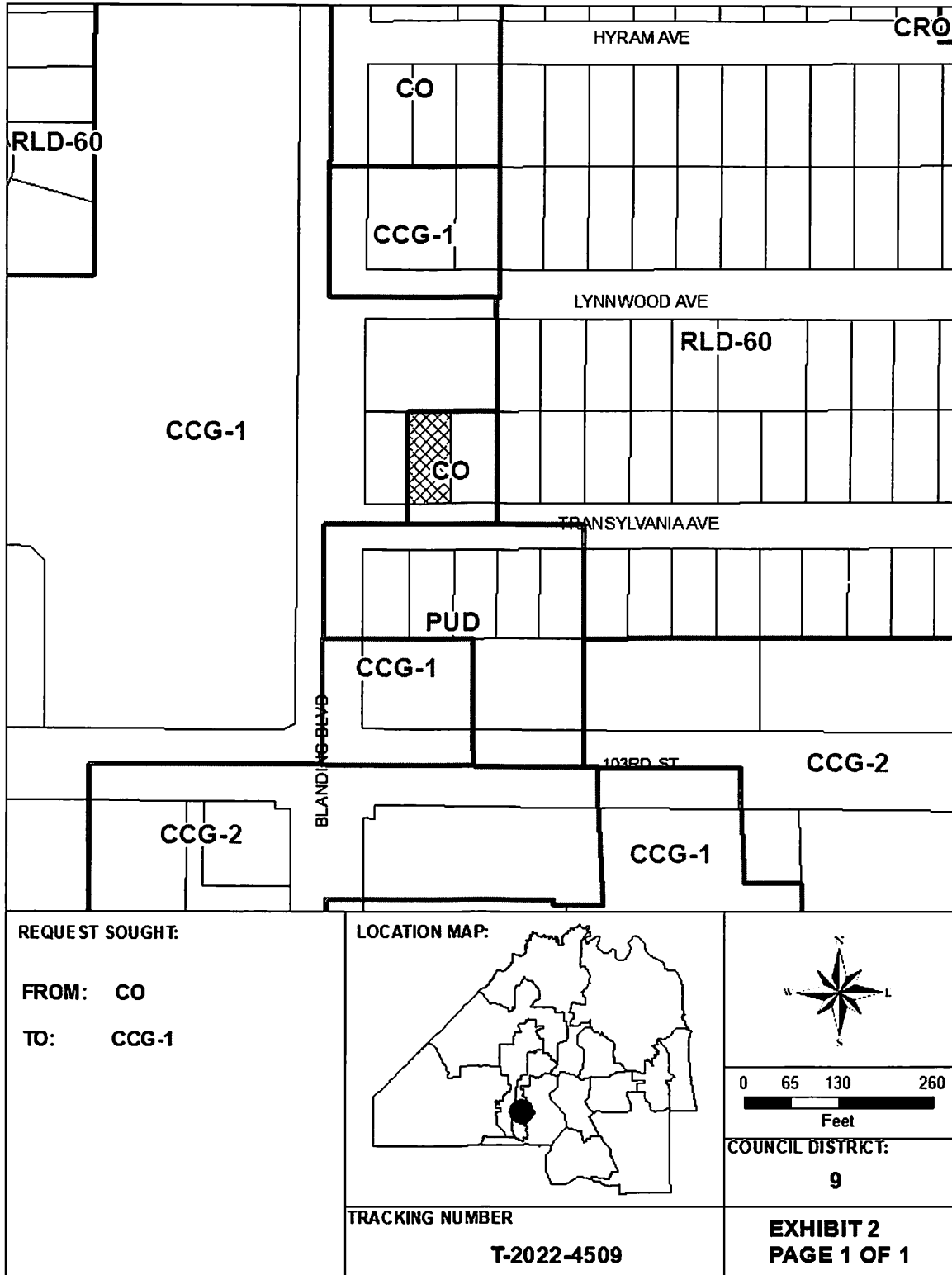




*Source: Planning & Development Department 11/30/2022*  
**Existing pawn shop located at 5211 Blanding Boulevard**



*Source: Planning & Development Department 11/30/2022*  
**View of single-family dwellings across the street from subject property located on  
Transylvania Avenue**



# Application For Rezoning To Conventional Zoning District

## Planning and Development Department Info

**Ordinance #** 2022-0828 **Staff Sign-Off/Date** BMF / 10/14/2022  
**Filing Date** 10/20/2022 **Number of Signs to Post** 1  
**Hearing Dates:**  
**1st City Council** 12/13/2022 **Planning Commission** 12/08/2022  
**Land Use & Zoning** 01/04/2023 **2nd City Council** 01/10/2023  
**Neighborhood Association** N/A  
**Neighborhood Action Plan/Corridor Study** N/A

## Application Info

**Tracking #** 4509 **Application Status** PAID  
**Date Started** 09/07/2022 **Date Submitted** 09/08/2022

## General Information On Applicant

**Last Name** FARFORD **First Name** ANGELA **Middle Name**  
**Company Name** BIRCHFIELD AND HUMPHREY  
**Mailing Address** 320 TOWN PLAZA AVENUE, SUITE 120  
**City** PONTEVEDRA **State** FL **Zip Code** 32081  
**Phone** 9043966625 **Fax** 904369 **Email** AFARFORD@BIRCHFIELDHUMPHREY.COM

## General Information On Owner(s)

Check to fill first Owner with Applicant Info

**Last Name** RUBENSTEIN **First Name** ERIC **Middle Name**  
**Company/Trust Name** ZKM HOLDINGS LLC  
**Mailing Address** 5211 BLANDING BOULEVARD  
**City** JACKSONVILLE **State** FL **Zip Code** 32210  
**Phone** 9043337840 **Fax** **Email** ERICJAXXX@GMAIL.COM

## 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 097524 0000	9	4	CO	CCG-1

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)** 0.17

**Justification For Rezoning Application**

THE OWNER OF 6145 TRANSYLVANIA AVENUE IS THE OWNER/OPERATOR OF THE RETAIL STORE LOCATED ADJACENTLY AT 5211 BLANDING BOULEVARD. THE OWNER WISHES TO EXPAND HIS BUSINESS INTO 6145 TRANSYLVANIA AVENUE, WHICH REQUIRES A REZONING TO CCG-1, WITH AN EXCEPTION.

**Location Of Property**

**General Location**

BLANDING BOULEVARD

House #	Street Name, Type and Direction	Zip Code
6145	TRANSYLVANIA AVE	32210

**Between Streets**

BLANDING BOULEVARD and WESCONNETT BOULEVARD

**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**

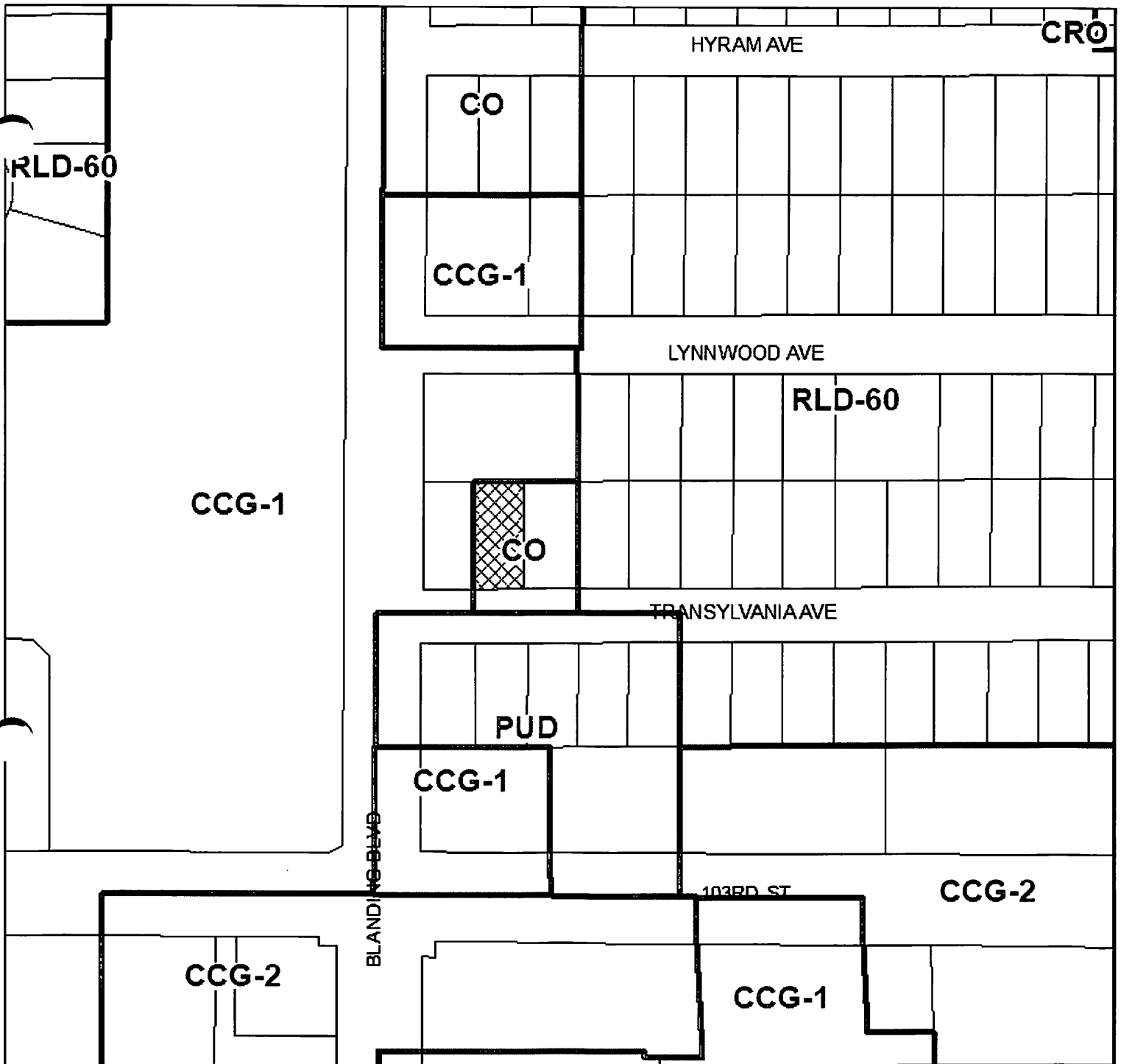
I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my 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**  
**0.17 Acres @ \$10.00 /acre: \$10.00**
- 3) Plus Notification Costs Per Addressee**  
**28 Notifications @ \$7.00 /each: \$196.00**
- 4) Total Rezoning Application Cost: \$2,206.00**

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

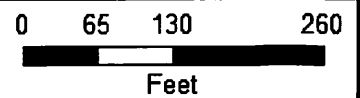
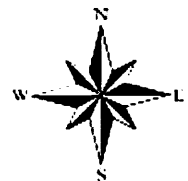
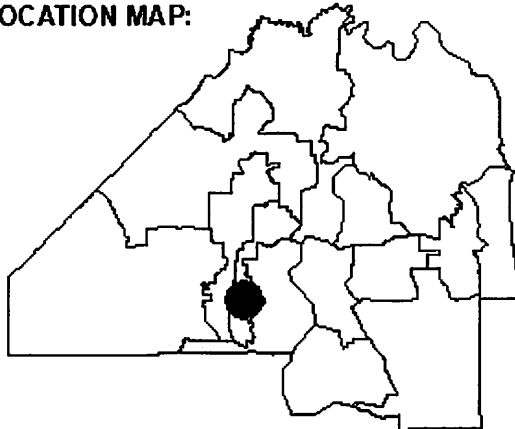


**REQUEST SOUGHT:**

**FROM: CO**

**TO: CCG-1**

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**9**

**TRACKING NUMBER**

**T-2022-4509**

**EXHIBIT 2  
PAGE 1 OF 1**

**LEGAL DESCRIPTION**

September 28, 2022

Exhibit 1

Lot 35, Block 3, Lynnwood, according to the Plat thereof as recorded in Plat Book 18, Page 4, of the public records of Duval County, Florida.





## Availability Letter

Eric RUBINSTEIN

10/11/2022

ZKM HOLDINGS LLC

5211 Blanding Blvd

JACKSONVILLE, Florida 32210

Project Name: Jax Jewelry & Pawn expansion.

Availability #: 2022-3707

Attn: Eric RUBINSTEIN

Thank you for your inquiry regarding the availability of Electric, 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/](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](https://www.jea.com/water_and_wastewater_development)

Sincerely,

JEA Water, Sewer Reclaim  
Availability Request Team

Availability Number: 2022-3707

Request Received On: 9/29/2022

Availability Response: 10/11/2022

Prepared by: Michelle Otts

Expiration Date: 10/10/2024

### Project Information

Name: Jax Jewelry & Pawn expansion.

Address: 6145 TRANSYLVANIA AVE, JACKSONVILLE, FL 32210

County: Duval County

Type: Electric,Sewer,Water

Requested Flow: 300

Parcel Number: 097524 0000

Location: Blanding / Transylvania

Description: 6145 Transylvania Ave . Jax 32210

### Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 6-inch water main within Transylvania Ave ROW.

Connection Point #2: Existing water service may be used if in good condition, and there are no conflicts with the proposed construction. Water service size must match meter size.

Water Special Conditions: Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required. Water Tap Location : 1103 WCL WESTCONMNETT BV 26 NCL TRANS

Water Tap Size : 3/4"

Water Meter Size : 5/8"

## **Sewer Connection**

Sewer Grid: Southwest

Connection Point #1: Existing 6" Force Main within Transylvania Ave ROW.

Connection Point #2:

Sewer Special Conditions:

Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Request a force main connection pressure letter through the JEA Sages program by entering your availability number and accessing the project portal. If needed, a development meeting can be scheduled prior to submitting a plan set. Request development meeting through the JEA Sages program by entering your availability number and accessing the project portal. Development Meeting, Force Main Connection Pressure Letter and Plan Submittal requests can be made within Step 2 of the project portal.

## **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 Request As-Built drawings and/or GIS maps by going to Step 1 in Sages.**

**to take to get service:**

**Request a Sewer Locate by going to Step 1 in Sages.**

**Request a Development Meeting with the water/wastewater team by going to Step 2 in Sages. If you need representative from the electric or real estate team please indicate that on your application. Don't forget to upload your utility layout with your application.**

**Submit your plans for water/waste water review by Step 2 in Sages.**

**Submit your request for a Force Main Connection Pressure letter by accessing Step 2 in Sages.**

**If you are going to have JEA make the tap(s) for your new services you need to have a Special Estimate Determination for the cost of the taps prior to submitting your new service application. To request a Special Estimate Determination access Step 2 in Sages.**

**After your plans are approved, you can submit your permit applications by access Step 3 in Sages, select Permit Determination.**

**If your project requires Shop Drawings to be approved you can submit them by accessing Step 3 in Sages.**

**After your plans, permits and shop drawings have been approved, as applicable, you can request a Pre-Construction Meeting by accessing Step 4 in Sages.**

**Any required inspections you need for your project can be requested by accessing Step 4 in Sages.**

**Project As-Builts can be submitted by accessing Step 4 in Sages.**

**After your permits are cleared, you can submit your project Acceptance Package by accessing Step 5 in Sages.**

**After your project has been accepted you can submit your Commercial New Service Application by accessing Step 2 in Sages.**

**If indicated on your availability letter, request your water flow test (Sages Step 2) and/or sewer locate (Sages Step 1).**

**After you receive the results of these, if applicable, submit your plans (Sages Step 2).**

**After your plans are approved, request a Special Estimate Determination (Sages Step 2) for the cost of your taps.**

**After you have received the Special Estimate Determination, apply for your new services by accessing Step 2 in Sages.**