

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

3 September 2020

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2020-480**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan 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**

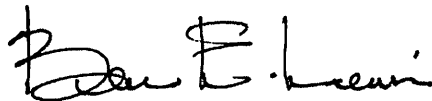
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 7-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Aye
David Hacker, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	Aye
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 fluid and cursive, with the first name "Bruce" being the most prominent.

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 2020-0480

SEPTEMBER 3, 2020

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 **2020-0480**.

Location: 5591 Plymouth Street, 0 Plymouth Street, and 5566 Alpha Avenue; Between Ellis Road South and Orton Street

Real Estate Number: 067893-0000, 067901-0000, and 067902 -0000

Current Zoning Districts: Residential Low Density-60 (RLD-60)
Industrial Business Park (IBP)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Low Density Residential (LDR) (067901-0000 Only)

Proposed Land Use Category: Light Industrial (LI)

Planning District: District 4—Southwest

Applicant/Owner: Adis Cosic
Plank Parkland, LLC. / RMS Trans, Inc.
1179 Ellis Road South
Jacksonville, Florida 32205

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0480** seeks to rezone 0.95± acres of a property from Residential Low Density-60 (RLD-60) and Industrial Business Park (IBP) to Industrial Light (IL). The request is being sought to expand the industrial land area for the abutting semi/truck storage facility located at 1179 Ellis Road South (RE: 067894-0000). There is also a companion Small-Scale Land Use Amendment L-5461-20C (**Ordinance 2020-0479**) that seeks to amend a portion of the land from Low Density Residential (LDR) 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. 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-5404-19A (**Ordinance 2020-0479**), the subject property will be located in the Light Industrial (LI) 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. Currently a portion of the site has a LDR land use designation; however, if approved, pending **Ordinance 2020-0469** would amend that portion of the land use category to LI. The proposed IL zoning district is consistent with the LI land use category. According to the Category Description within the Future Land Use Element (FLUE), Light Industrial (LI) is a category, which provides for the location of industrial uses, which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemicals and wastes. Site access to roads classified as collector or higher is preferred.

The subject site is not located within any Coastal High Hazard Area (CHHA) or flood zone. For more information, please see the attached Community Planning Memo.

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

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

The proposed rezoning to IL would allow for infill development on underutilized parcels and also allow for the applicant to enjoy the maximum benefit of their land without interfering with the rights of adjacent residential owners.

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 RLD-60 and IBP to IL in order to allow for the expansion of the existing truck storage facility.

SURROUNDING LAND USE AND ZONING

The subject property is located on the north side of Plymouth Street and the south side of Alpha. According to the City's Highway Classification Map, both Plymouth Street and Alpha Street are local roads but both have access to Lenox Avenue, a collector road. The proposed rezoning to IBP would allow the applicant to allow for truck storage. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	BP/LDR	IBP/RLD-60	Businesses/Offices
East	PBF	PBF-1	NAS Jacksonville
South	LDR/MDR	RLD-60	Single-Family Dwellings
West	LDR/BP	RLD-60/IBP	Undeveloped/Office

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 August 26, 2020 by the Planning and Development Department, the required Notice of Public Hearing sign were posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2020-0480** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 07/28/20

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

Figure B:



Source: Planning & Development Dept, 8/26/20

View of Alpha Avenue and the subject property, facing south.

Figure C:



Source: Planning & Development Dept, 8/26/20

View of the applicant's existing business, RMS Trans, Inc., facing east.

Figure D:



Source: Planning & Development Dept, 8/26/20

View of the property's single-family home, subject to Ordinance 2020-0479, facing north.



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60 & IBP</p> <p>TO: IL</p>	<p>LOCATION MAP:</p>	<p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0480</p>	<p>TRACKING NUMBER</p> <p>T-2020-3020</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0480 Staff Sign-Off/Date ATW / 07/28/2020

Filing Date 08/05/2020 Number of Signs to Post 3

Hearing Dates:

1st City Council 09/08/2020 Planning Commission 09/03/2020

Land Use & Zoning 09/15/2020 2nd City Council 09/22/2020

Neighborhood Association CEDARHURST RESIDENTS ASSOCIATION

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3020

Application Status FILED COMPLETE

Date Started 07/20/2020

Date Submitted 07/20/2020

General Information On Applicant

Last Name COSIC	First Name ADIS	Middle Name ELMA
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Company Name
PLANK PARKLAND LLC

Mailing Address
1179 ELLIS ROAD SOUTH, RMS TRANS INC

City JACKSONVILLE	State FL	Zip Code 32205
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Phone 9043437092	Fax 8664134238	Email ELMACOSIC@RMSTRANS.NET
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General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name COSIC	First Name ADIS	Middle Name ELMA
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Company/Trust Name
PLANK PARKLAND LLC

Mailing Address
1179 ELLIS ROAD SOUTH, RMS TRANS INC

City JACKSONVILLE	State FL	Zip Code 32205
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Phone 9043437092	Fax 8664134238	Email ELMACOSIC@RMSTRANS.NET
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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	067902 0000	9	4	IBP	IL
Map	067901 0000	9	4	RLD-60	IL

Map

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

Existing Land Use CategoryLand Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) **Justification For Rezoning Application**

WE OWN THE PROPERTY 1179 ELLIS ROAD SOUTH WHICH IS IN THE CENTER OF THESE PROPERTIES WE ARE REQUESTING TO HAVE RE-ZONED. THE PROPERTY IS ZONED IL. THEREFORE WE WANTED THESE 3 LOTS TO BE REZONED, FOR IT ALL TO BE THE SAME.

Location Of Property**General Location**

House #	Street Name, Type and Direction	Zip Code
<input type="text" value="5591"/>	<input type="text" value="PLYMOUTH ST"/>	<input type="text" value="32205"/>

Between Streets and **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
0.95 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee
47 Notifications @ \$7.00 /each: \$329.00
- 4) Total Rezoning Application Cost: \$2,339.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

Legal Description

PARCEL ID NUMBER: 067893-0000

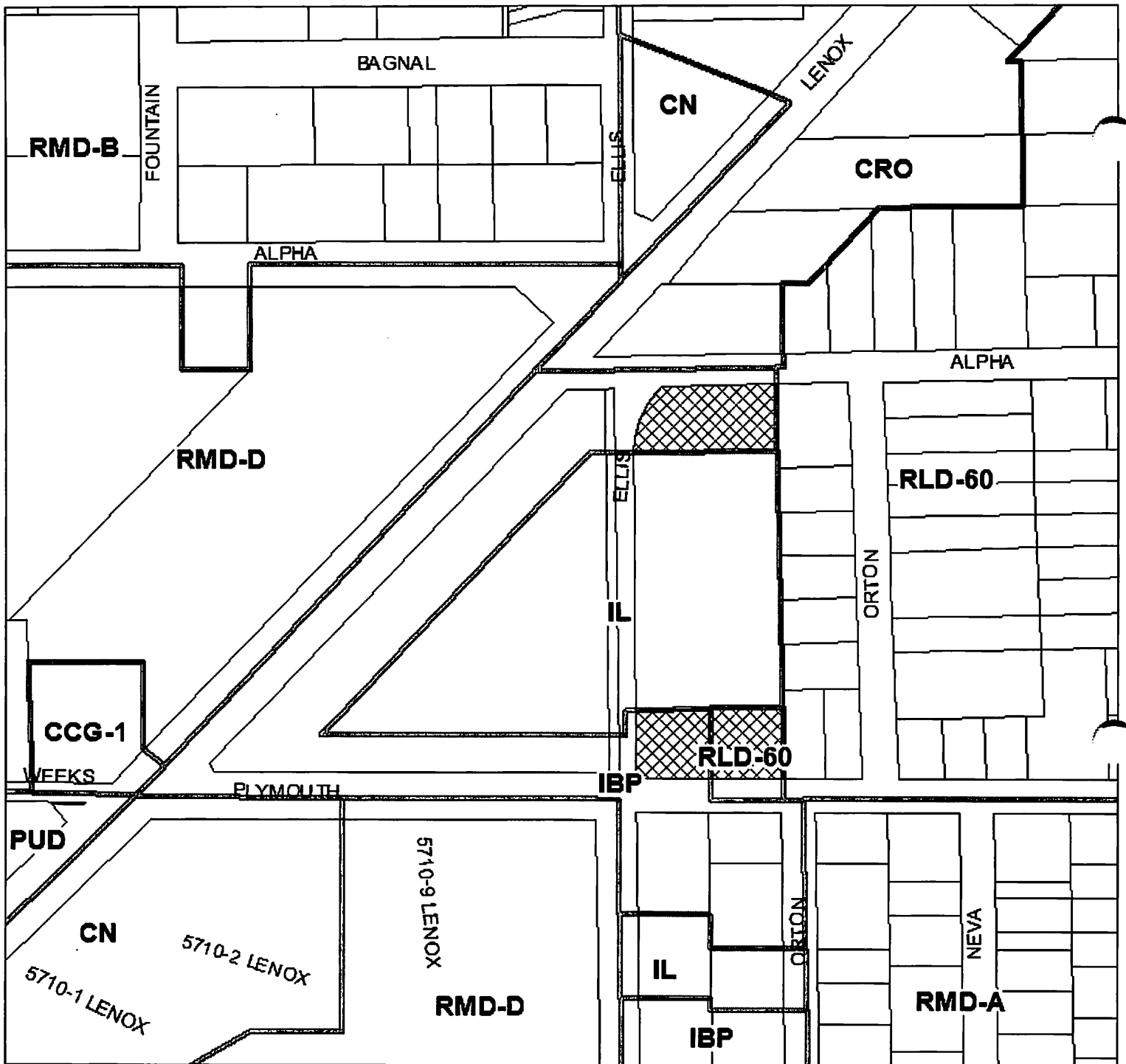
LOT 2, BLOCK 6; SEMINOLE GARDENS, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE(S) 7, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

PARCEL ID NUMBER: 067902-0000

THE WEST ½ OF LOT 9, BLOCK 6, SEMINOLE GARDENS, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE(S) 7, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

PARCEL ID NUMBER: 067901-0000

THE EAST HALF OF LOT 9, BLOCK 6, SEMINOLE GARDENS, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE(S) 7, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

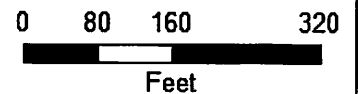
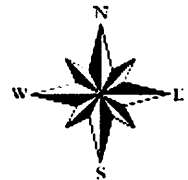
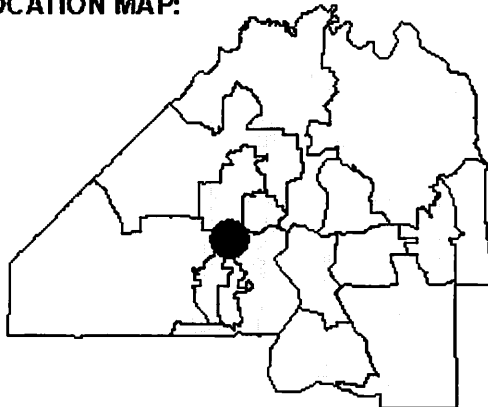


REQUEST SOUGHT:

FROM: RLD-60 & IBP

TO: IL

LOCATION MAP:



COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2020-3020

**EXHIBIT 2
PAGE 1 OF 1**