

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

January 7, 2021

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.: 2020-724**

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**

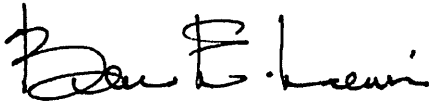
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	Absent
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 2019-0724

JANUARY 7, 2021

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 **2020-0724**.

Location: 2663 Old Kings Road; 0 New Kings Road (SR 15)

Real Estate Number: 048219 0000; 048098 0000

Current Zoning District: Residential Low Density-60 (RLD-60)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Light Industrial (LI)

Planning District: District 5—Northwest

Applicant/Agent: Steve Diebenow, Esq.
Driver, McAfee, Hawthorne and Diebenow, PLLC
One Independent Drive, #1200
Jacksonville, Florida 32202

Owner: Jotneil Viquillon
11749 Chestnut Oak Drive East
Jacksonville, FL 32218

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0724** seeks to rezone 1.73± acres from Residential Low Density-60 (RLD-60) to Industrial Light (IL). The property is located in the Light Industrial (LI) land use category within the Urban Area of the Future Land Use Element of the 2030 Comprehensive Plan. 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. The applicant is requesting the rezoning in order to operate a truck parking lot and mechanic 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. 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 the subject property to 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. According to the Future Land Use Element (FLUE), LI is intended to provide 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. Principal uses within the LI land use category include uses such as, light assembly and manufacturing, packaging, storage/warehousing, recycling facilities, business/professional offices and medical clinics.

Future Land Use Element

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 subject property is located in area with a Light Industrial land use and is an Industrial Sanctuary. The proposed rezoning of IL will be compatible with other uses already existing within the surrounding area.

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 subject properties will not deviate from the character of the area from which it serves therefore being in compliance with Goal 3.

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".

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 to IL in order in order to operate a truck parking lot and mechanic shop.

SURROUNDING LAND USE AND ZONING

The 1.73 acre subject property is located near the intersection of New Kings Road and Old Kings Road. The property is surrounded by vacant properties and is located in an Industrial Sanctuary area. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LI/LDR	IL/RLD-60	Vacant Industrial, Single-family homes
South	LDR	RLD-60	Vacant lots, Single-family home
East	LI	RLD-60	Service station

West	LI	RLD-60	Vacant lot
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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 December 16, 2020 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 2020-0724 be APPROVED.



Source: Planning & Development Department, 12/16/2020

View of Subject Property from Old Kings Road.



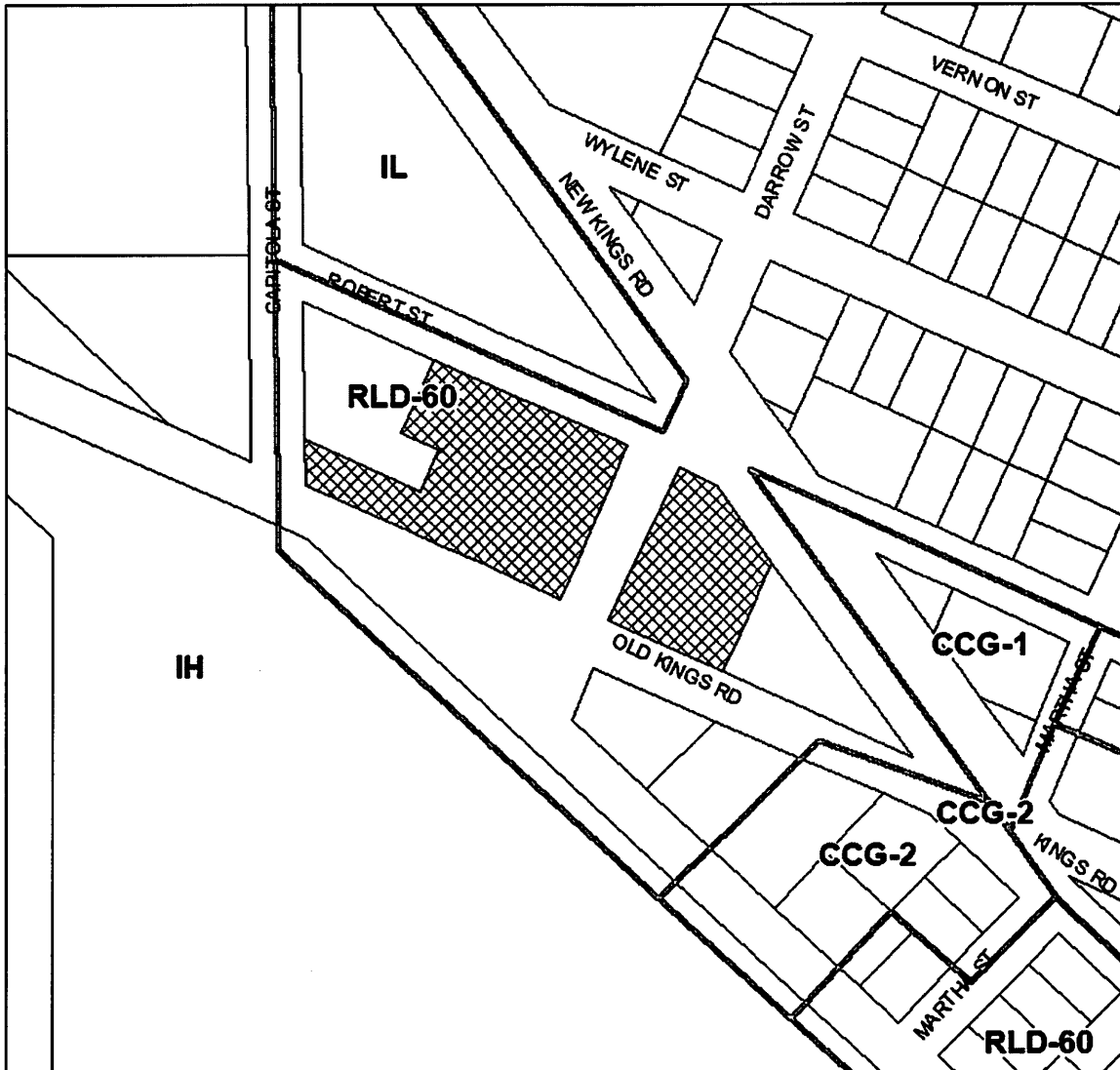
Source: Planning & Development Department, 12/16/2020

View of Subject Property from Old Kings Road.



Source: Planning & Development Department, 12/16/2020

View of Subject Property from Old Kings Road.



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60</p> <p>TO: IL</p>	<p>LOCATION MAP:</p>	<p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0724</p>	<p>TRACKING NUMBER</p> <p>T-2020-3067</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0724 **Staff Sign-Off/Date** KPC / 10/12/2020
Filing Date 11/12/2020 **Number of Signs to Post** 5
Hearing Dates:
1st City Council 01/12/2021 **Planning Commission** 01/07/2021
Land Use & Zoning 01/20/2021 **2nd City Council** N/A
Neighborhood Association N/A
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3067 **Application Status** PENDING
Date Started 08/20/2020 **Date Submitted** 09/04/2020

General Information On Applicant

Last Name VIQUILLON **First Name** JOTNIEL **Middle Name**
Company Name
Mailing Address
 11749 CHESTNUT OAK DR E
City JACKSONVILLE **State** FL **Zip Code** 32218
Phone 9044450937 **Fax** 904 **Email** JAE12CORP@GMAIL.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name VIQUILLON **First Name** JOTNIEL **Middle Name**
Company/Trust Name
Mailing Address
 11749 CHESTNUT OAK DR E
City JACKSONVILLE **State** FL **Zip Code** 32218
Phone 9044450937 **Fax** 904 **Email** JAE12CORP@GMAIL.COM

Last Name VIQUILLON SABO **First Name** JOTNIEL **Middle Name**
Company/Trust Name
Mailing Address
City **State** **Zip Code**
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	048219 0000	9	5	RLD-60	IL
Map	048098 0000	9	5	RLD-60	IL

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

Existing Land Use Category

LI

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 1.73

Justification For Rezoning Application

NEED REZONING IN ORDER TO CREATE A TRUCK PARKING LOT AND A MECHANIC SHOP.

Location Of Property

General Location

0 NEW KINGS ROAD & 2663 OLD KINGS RD, JACKSONVILLE, FL 32209

House #	Street Name, Type and Direction	Zip Code
2663	OLD KINGS RD	32209

Between Streets

CAPITOLA STREET and MARTHA STREET

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**
 1.73 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee**
 32 Notifications @ \$7.00 /each: \$224.00
- 4) Total Rezoning Application Cost: \$2,244.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

0 new Kings Road, Jacksonville, Fl 32209

Parcel 048219 0000

Description and furnished;

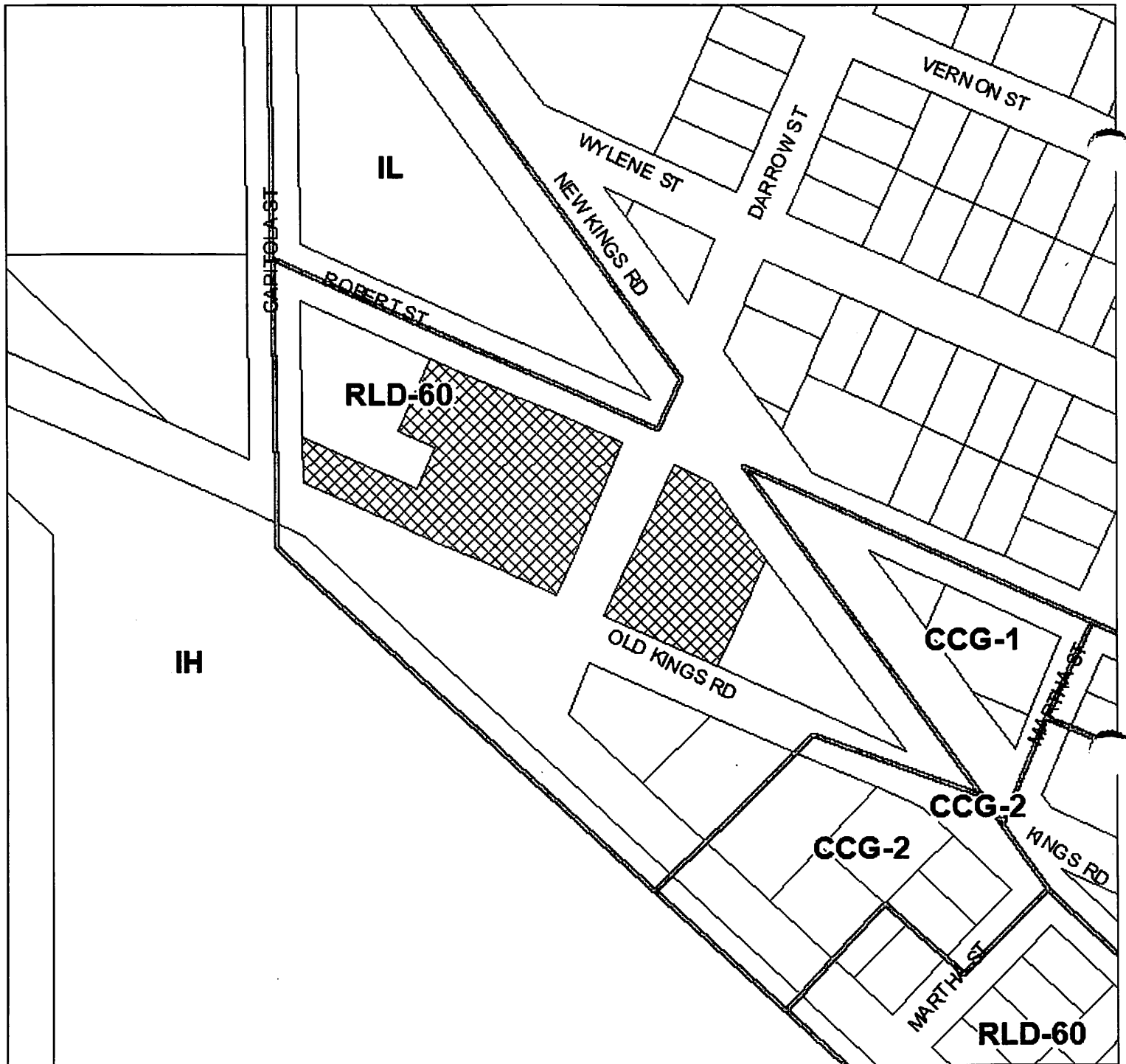
ALL OF LOTS TEN (10), ELEVEN (11), TWELVE (12), THIRTEEN (13), FOURTEEN (14), FIFTEEN (15), IN BLOCK 96, GRAND PARK, (EXCEPT FOR THAT PART OF LOT FOURTEEN (14) AND LOT FIFTEEN (15) CONTAINED IN THE STATE ROAD), ACCORDING TO PLAT THEREOF RECORDED IN PLAT BOOK TWO (2) PAGES 59 AND 60 OF THE PUBLIC RECORD OF DUVAL COUNTY, FLORIDA.

2663 Old Kings Road, Jacksonville, Fl 32209

Parcel 048098 0000

Description and furnished;

LOTS ONE (1), TWO (2), THREE (3), FOUR (4), FIVE (5), NINE (9), TEN (10), ELEVEN (11), TWELVE (12), THIRTEEN (13), IN BLOCK 82, GRAND PARK, ACCORDING TO PLAT THEREOF AND RECORDED IN PLAT BOOK TWO (2), PAGES 59 AND 60 ON THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

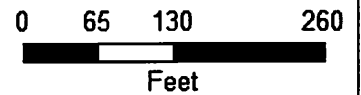
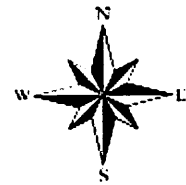
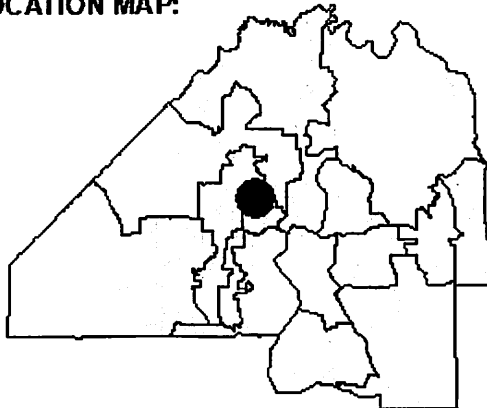


REQUEST SOUGHT:

FROM: RLD-60

TO: IL

LOCATION MAP:



COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2020-3067

**EXHIBIT 2
PAGE 1 OF 1**



Availability Letter

Krista Burby

10/23/2020

Driver, McAfee, Hawthorne & Diebnow

One Independent Drive, Suite 1200

Jacksonville, Florida 32202

Project Name: Old Kings Truck Service/Parking

Availability #: 2020-3471

Attn: Krista Burby

Thank you for your inquiry regarding the availability of 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

Sincerely,

JEA Water, Sewer Reclaim
Availability Request Team

Availability Number: 2020-3471

Request Received On: 10/13/2020

Availability Response: 10/23/2020

Prepared by: Roderick Jackson

Expiration Date: 10/23/2022

Project Information

Name: Old Kings Truck Service/Parking

Address: 2663 OLD KINGS RD, JACKSONVILLE, FL 32209

County: Duval County

Type: Sewer,Water

Requested Flow: 360

Parcel Number: 048098 0000

Location: Corner of Old Kings Rd and Darrow St

Description: Parking and mechanic for commercial trucks

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Ex 8-inch water main within the Old Kings Rd ROW

Connection Point #2: Ex 8-inch water main within the Capitola St ROW

Connection point not reviewed for site fire protection requirements. Private fire protection analysis

Water Special Conditions: is required. For the estimated cost of connecting to the JEA system, please submit request via Sages under Step 2 with APPROVED plans showing where the proposed connections will be installed.

Sewer Connection

Sewer Grid: Buckman

Connection Point #1: Ex 8-inch gravity sewer main within the Robert St ROW

Connection Point #2: Ex 8-inch gravity sewer main within the Darrow St ROW

Connection to the proposed POC is contingent upon inspection and acceptance of the mains by JEA. If gravity flow cannot be achieved, then 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

Sewer Special Conditions: and a JEA dedicated force main (min. 4" dia.). 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, and Plan Submittal requests can be made within Step 2 of the project portal.

Reclaimed Water Connection

Reclaim Grid:

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions:

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: