



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
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Jacksonville, FL 32202
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December 5, 2024

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.: 2024-863**

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: **Deny**

Planning Commission Recommendation: **Deny**

Planning Commission Commentary: The agent was present in support and there were no speakers in opposition. The Commissioners felt although there was CCG-2 across the street, this was not an appropriate location to expand CCG-2.

Planning Commission Vote: **7-0**

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

Ali Marar

Aye

Jack Meeks

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 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
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(904) 255-7820
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2024-0863

DECEMBER 5, 2024

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 **2024-0863**.

Location: 5800 San Juan Avenue
Between Hyde Park Road and Niblick Drive

Real Estate Number: 068540-0000

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

Proposed Zoning District: Commercial Community/General-2 (CCG-2)

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

Planning District: 4- Southwest

Council District: District 9

Applicant/Owner: Noor Ahmad
4553 Shiloh Mill Boulevard
Jacksonville, Florida. 32246

Staff Recommendation: **DENY**

GENERAL INFORMATION

Application for Conventional Rezoning Ordinance **2024-0863** seeks to rezone 0.50 acres of property from Commercial Community/General- 1 (CCG-1) to Commercial Community/General-2 (CCG-2). The rezoning is being sought to allow for a car dealership on the subject site, which is a permissible use by right in CCG-2.

The subject property is located at the corner of San Juan Avenue and Niblick Drive and is currently developed with a single-story commercial structure approximately 3,744 square feet. This section of San Juan Avenue for parcels with frontage along this roadway is primarily zoned CCG-1, CRO and RMD-D. San Juan Avenue is a commercial corridor which then transitions to residential uses on both the north and south sides. The properties that surround the site include single family dwellings, multi-family residential and professional office space and the department feels CCG-2

uses would be too intense for the site and the surrounding properties. Approval of this application will set a precedence for future properties owners to request the same rezoning.

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?

Yes. The 0.50-acre subject site is located at the southwest corner of San Juan Avenue and Niblick Drive. The site is located in the CGC land use category and in the Urban Development Area. The applicant seeks to rezone the property from CCG-1 to CCG-2.

CGC in the Urban 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 encouraged to provide support for commercial and other uses.

The CCG-2 zoning district is a primary zoning district within the CGC land use category. Auto sales are a principal use in the CGC land use category. The proposed zoning change from CCG-1 to CCG-2 is consistent with the CGC land use category.

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

No. The proposed rezoning furthers the following goals, objectives, and policies of the 2045 Comprehensive Plan:

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.

Approval of this rezoning request would create uses not compatible with the development patterns of the area and promote urban sprawl into a residential neighborhood. Therefore, this request would not be in compliance with Objective 1.1.

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.

Approval of this application will set a precedence for future lots to request the same rezoning and will not achieve a well-balanced and organized combination of residential to non-residential area. The current zoning district CCG-1 offers commercial uses that are appropriate for the area and serves as a transitional zoning district from the residential district to the south and the more intense commercial districts along San Juan Avenue. CCG-2 is a district that permits the highest intensity commercial uses which will not protect or preserve the character of the surrounding residential neighborhood. Due to these reasons listed this request will not be in compliance with Goal 3.

Airport Environment Zone-- Height Zone

The site is located within the 300-foot Height and Hazard Zone for Naval Air Station Jacksonville (NAS JAX) and Herlong Recreational Airport. Zoning will limit development to a maximum height of 300 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).

3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

No. The proposed rezoning does not conflict with any portions of the City's land use regulations. If approved, the subject property will be permitted for commercial uses permitted in CCG-1 Zoning District which would be held to standards of the City's land use regulations but is not consistent with the surrounding uses and does not support the Goals, Objectives and Policies of the 2045 Comprehensive Plan.

SURROUNDING LAND USE AND ZONING

The subject property is located along San Juan Avenue which is comprised of a mix of commercial, office, and residential uses. Given the existing pattern of development and uses along San Juan Avenue car dealership and other uses allowed by right in CCG-2 would not be appropriate are compatible with surrounding uses. The Surrounding Land Use and Zoning Categories are as followed:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	MDR	RMD-D	Multi-Family Dwellings
South	CGC	CCG-2	Outside Storage
East	MDR	RMD-D	Single and Multi-Family Dwellings
West	CGC	CCG-1	Offices

It is the opinion of the Planning and Development Department that the requested rezoning to CCG-2 will not be consistent and compatible with the surrounding uses.

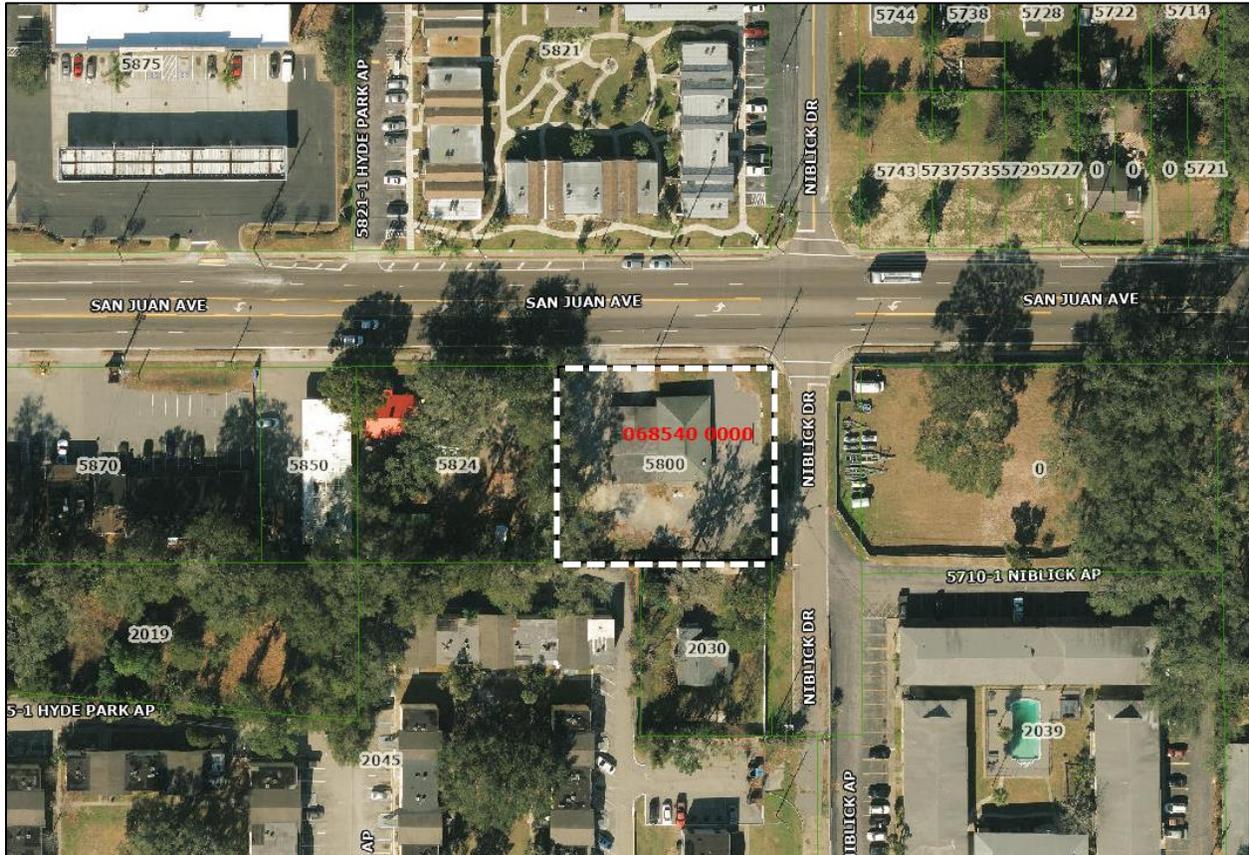
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 18, 2024** by the Planning and Development Department, the required Notice of Public Hearing signs **were not** posted. The applicant subsequently sent the following photo as evidence of the signs being posted:



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2024-0863** be **DENIED**.



Aerial View of Subject Property



View of Subject Property from San Juan Avenue



View of Subject Property



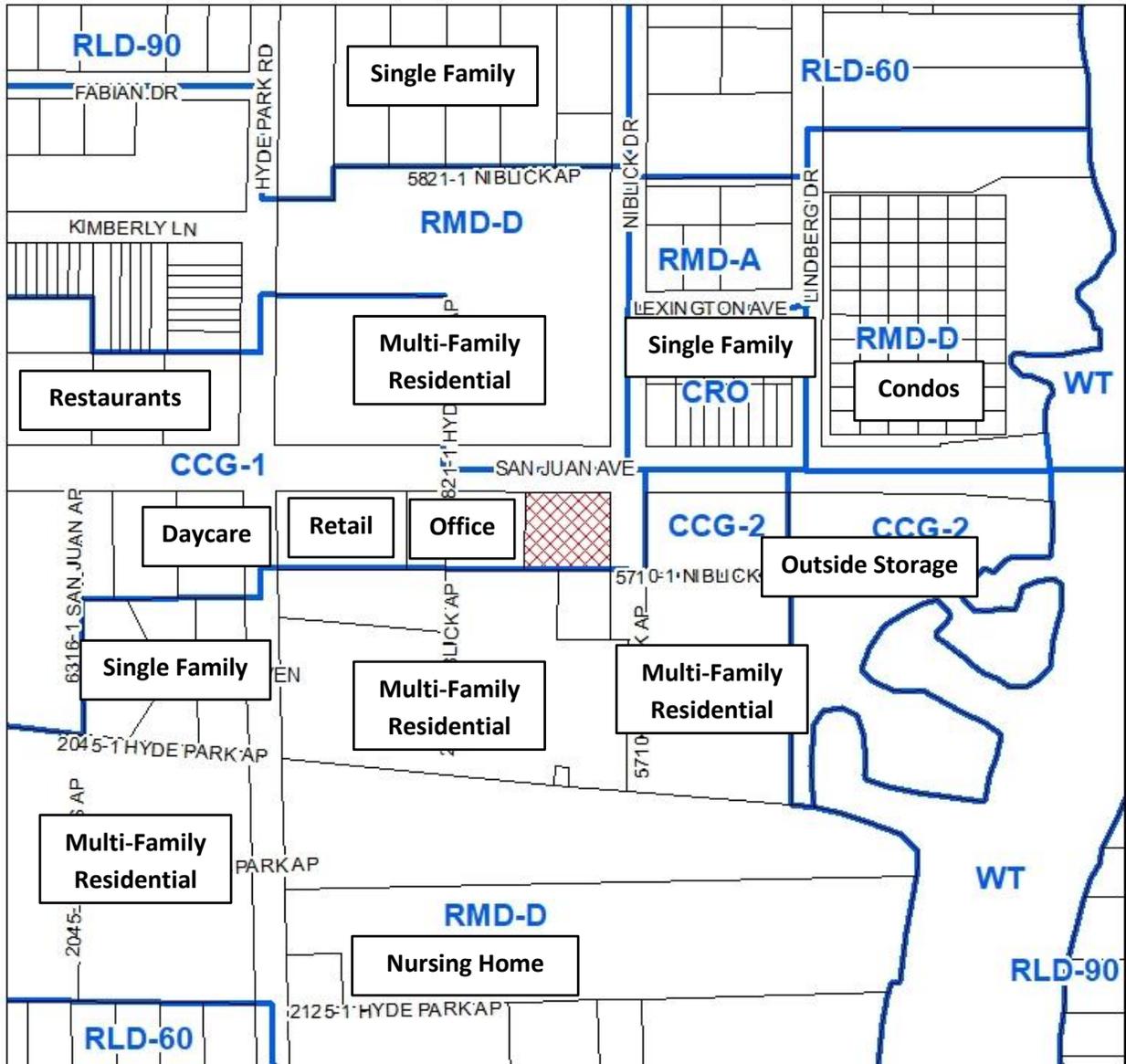
View of Property Across from Subject Site

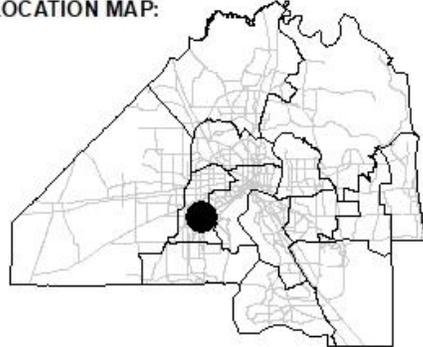


View of Adjacent Property



View of Adjacent Property



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1</p> <p>TO: CCG-2</p>	<p>LOCATION MAP:</p> 	 <p>0 100 200 400</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>9</p>
<p>TRACKING NUMBER</p> <p>T-2024-5846</p>		<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map