



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

Planning and Development Department  
214 N. Hogan St., Suite 300  
Jacksonville, FL 32202  
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Jacksonville.gov

August 22, 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.: 2024-521**                      **Application for: Taylor McDuff PUD**

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:                      **Approve with Conditions**

This rezoning is subject to the following exhibits:

1. The original legal description dated May 1, 2024.
2. The original written description dated May 20, 2024.
3. The original site plan dated February 15, 2024.

Recommended Planning Commission Conditions to the Ordinance:

Planning Commission conditions:

1. The following use shall be deleted - Parking lot for temporary automobile storage and automobile wrecker service including wrecker parking. Parking lot shall be fenced and/or screened from the Right-of-Way.
2. An additional 10 feet will be added to the proposed eastern 10 foot buffer for a total of 20 feet.

Recommended Planning Commission Conditions that can be incorporated into the Written Description: **None**

Planning Commission Commentary: There were two speakers in opposition whose indicated the use is not needed and will blight the area. The agent suggested the two conditions and the Commissioners this use seemed to be the main objection to the development.

Planning Commission Vote: **4-3**

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

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis  
City Planner Supervisor – Current Planning Division  
City of Jacksonville - Planning and Development Department  
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**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2024-0521 TO**  
**PLANNED UNIT DEVELOPMENT**

**AUGUST 22, 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 **2024-0521** to Planned Unit Development.

***Location:*** 0, 957, 961, and 971 McDuff Avenue North, between Lowell Avenue and Commonwealth Avenue

***Real Estate Number(s):*** 056005 0000; 056006 0000; 056007 0000; 056008 0000; 056009 0000; 056010 0000

***Current Zoning District(s):*** Residential Low Density-60 (RLD-60)  
Commercial Community General-1 (CCG-1)

***Proposed Zoning District:*** Planned Unit Development (PUD)

***Current Land Use Category:*** Low Density Residential (LDR)  
Community General Commercial (CGC)

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

***Planning District:*** Northwest, District 5

***Council District:*** District 9

***Applicant/Agent:*** Curtis Hart  
Hart Resources, LLC  
8051 Tara Lane  
Jacksonville Florida 32216

***Owner:*** William Taylor  
4743 Iron Forge Lane  
Jacksonville Florida 32210

Kevin Thigpen  
2905 Algonquin Avenue  
Jacksonville, FL 32210

***Staff Recommendation:*** **DENY**

### **GENERAL INFORMATION**

Application for Planned Unit Development **2024-0521** seeks to rezone approximately 1.56 acres of land from Residential Low Density-60 (RLD-60) and Commercial Community General-1 (CCG-1) to PUD. The rezoning to PUD is being sought to add a parking lot for temporary automobile storage and automobile wrecker service (including wrecker parking) to the permitted and permissible uses that are allowed in the Commercial Community General-1 (CCG-1) Zoning District.

There is a companion small scale Land Use Amendment (**2024-0520/ L-5881-23C**), which seeks to amend the portion of the site that is in the Low Density Residential (LDR) land use category to Community/General Commercial (CGC).

While Staff finds the Land Use Amendment to be appropriate at this site, Staff finds the proposed uses in the PUD including automobile wrecker services and storage to be too intense given the abutting residential uses. The applicant did not provide a site plan showing any landscaping or improvements to protect the neighboring residential uses, and the written description states that the applicant will provide landscaping meeting Part 12 requirements. While Part 12 requires a 10-foot uncomplimentary landscape buffer, it is Staff's opinion that this will not be sufficient to protect the abutting residential from the objectionable noise, vibrations, and fumes associated with automobile wrecking.

### **CRITERIA FOR REVIEW**

Pursuant to the provisions of Section 656.125 of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria of an application for rezoning to Planned Unit Development.

***(A) Is the proposed zoning district consistent with the 2045 Comprehensive Plan?***

No. When applying the criteria of consistency with the 2045 Comprehensive Plan, the combined factors of the goals, objectives and policies of the plan along with the appropriate Functional Land Use Categories are used. Thus, the fact that the use is allowable in the land use category does not ensure overall consistency with the 2045 Comprehensive Plan. Compatibility, and intensity of use is accomplished through appropriate zoning and is an important consideration to the welfare and sustainability of an area. This is especially important to a predominately single-family residential area when a new commercial use is being introduced, as is proposed in this Planned Unit Development. Therefore, while the proposed uses are consistent with the category description of the functional land use category, the compatibility, intensity and scale of the project is not consistent with the intent of the 2045 Comprehensive Plan.

***(B) Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?***

No. This proposed rezoning to Planned Unit Development is **inconsistent** with the 2045 Comprehensive Plan, and does not further the following goals, objectives and policies contained herein, including:

**Future Land Use Element:**

**Goal 1** To ensure that the character and location of land uses optimize the combined potentials of economic benefit and enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

*The applicant is proposing an automobile storage yard and wrecker service in a predominantly residential area. These types of uses are a permissible use by exception in the CCG-2 Zoning District and a permitted use in the IL Zoning District. Staff has concerns that these uses are too intense and will not protect the health, safety, and welfare of the abutting residents.*

**Policy 3.1.2 Protect** neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

*The proposed use is allowed by exception in the CCG-2 zoning district and permitted in the IL Zoning District, two of the City's most intense zoning categories. Approval of this rezoning would not allow for a gradual transition and appropriate buffering for the surrounding residential area from this intense use.*

***(C) Does the proposed rezoning conflict with any portion of the City's land use Regulations?***

The written description and the site plan of the intended plan of development, meets all portions of the City's land use regulations and furthers their intent by providing specific development standards.

Pursuant to the provisions of Section 656.341(d) of the Zoning Code, the Planning and Development Department, Planning Commission and City Council (including the appropriate committee) shall evaluate and consider the following criteria for rezoning to Planned Unit Development district:

***(1) Consistency with the 2045 Comprehensive Plan***

In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the subject property is within the following functional land use category as identified in the Future Land Use Map series (FLUMs): Low Density Residential (LDR) and Community General Commercial (CGC). The Planning and Development Department finds that even with the proposed small-scale land use amendment (**2024-0520/L-5881-23C**), the proposed PUD is **inconsistent** with the 2045 Comprehensive Plan, as evaluated in Criteria (B).

***(2) Consistency with the Concurrency Mobility and Management System***

Pursuant to the provisions of Chapter 655 Concurrency and Mobility Management System of the Ordinance Code, the development will be required to comply with all appropriate requirements of the Concurrency and Mobility Management System (CMMSO) prior to development approvals.

***(3) Allocation of residential land use***

This proposed Planned Unit Development intends to utilize lands for commercial uses. This proposed development will not exceed the projected holding capacity reflected in Table L-20, Land Use Acreage Allocation Analysis for 2045 Comprehensive Plan's Future Land Use Element, contained within the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

***(4) Internal compatibility***

This proposed PUD is **inconsistent** with the internal compatibility factors. An evaluation of the internal compatibility of a proposed Planned Unit Development shall be based on the following factors:

- The use of existing and proposed landscaping: There is no existing or proposed landscaping shown on the site plan. The proposed PUD states that it will meet the minimum requirements as listed in Part 12 of the Zoning Code.
- The particular land uses proposed and the conditions and limitations thereon: The applicant proposes uses primarily found in CCG-1, with the addition of automobile storage and automobile wrecker services. The applicant does not provide any conditions or limitations to minimize the intensity or potential effects of the proposed use on the surrounding area.

***(5) External Compatibility***

Based on the written description of the intended plan of development and site plan, the Planning and Development Department finds that external compatibility is **not achieved** by the following:

- The type, number and location of surrounding external uses: The surrounding area is residential in character with a commercial zoning on the north and west side of Commonwealth Avenue. The PUD is introducing an intensive commercial use to the predominately residential area. The proposed use is by exception in commercial districts and by right in industrial districts.
- The Comprehensive Plan and existing zoning on surrounding lands: The adjacent uses, zoning and land use categories are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR/CGC	RLD-60/CCG-2	Single family dwellings/ service garage

<b>South</b>	LDR	RLD-60	Single family dwellings
<b>East</b>	LDR	RLD-60	Single family dwellings
<b>West</b>	LDR/CGC	RLD-60/CCG-2	Single family dwellings, warehouse terminal

- Any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of lands surrounding the proposed PUD which includes any existing or planned use of such lands: Staff has concerns over the hours of operation of the proposed use. Towing of vehicles can occur 24 hours a day. The sounds of diesel trucks idling, unloading of vehicles and opening of gates combine for a negative impact to the surrounding residential dwellings. The PUD does not provide any assurance that the hours of operation will be compatible with the neighborhood.

### ***(6) Intensity of Development***

The proposed development is consistent with the CGC functional land use category as a automobile storage yard and wrecker service. The PUD is **inappropriate** at this location because the proposed uses are incompatible and too intense for the surrounding area.

- The amount and type of protection provided for the safety, habitability and privacy of land uses both internal and external to the proposed PUD: Per the submitted written description, the applicant will be required to provide a 10-foot uncomplimentary land use buffer along the east and south property boundaries. However, it is Staff's opinion that the proposed use will still have negative affects on the surrounding residences given the intense nature of the proposed development, and the objectionable noise, vibrations, and fumes associated with automobile wrecking.
- The existing residential density and intensity of use of surrounding lands: There are single family dwellings to the north, south, east and west. While there is some commercial found to the north and west of the subject property, the area is predominantly residential in character to the east and south.
- Any other factor deemed relevant to the limitation of the intensity of the development for the benefit of the public health, welfare and safety: These uses are by exception in the CCG-2 Zoning District and permitted in the IL Zoning District. Staff finds these additional uses to be too intense and have the potential to be harmful to the surrounding residential area.

### ***(7) Usable open spaces plazas, recreation areas.***

The project is not required to provide open space or a recreation area for commercial/industrial use.

### ***(8) Impact on wetlands***

Review of a 2004 Florida Land Use and Cover Classification System map provided by the St. Johns River Water Management District did not identify any wetlands on-site.

***(9) Listed species regulations***

No wildlife survey was required as the project is less than the 50-acre threshold.

***(10) Off-street parking including loading and unloading areas.***

The site will be developed in accordance with Part 6 of the Zoning Code, with the following additional provisions: there shall be no limit or maximum number of parking spaces for any use within the PUD, and shared parking is permitted to satisfy parking required for multiple uses.

***(11) Sidewalks, trails, and bikeways***

The project will be required to contain a pedestrian system that meets the 2045 Comprehensive Plan.

**SUPPLEMENTAL INFORMATION**

Upon visual inspection of the subject property on August 14, 2024, the required Notice of Public Hearing sign was posted.

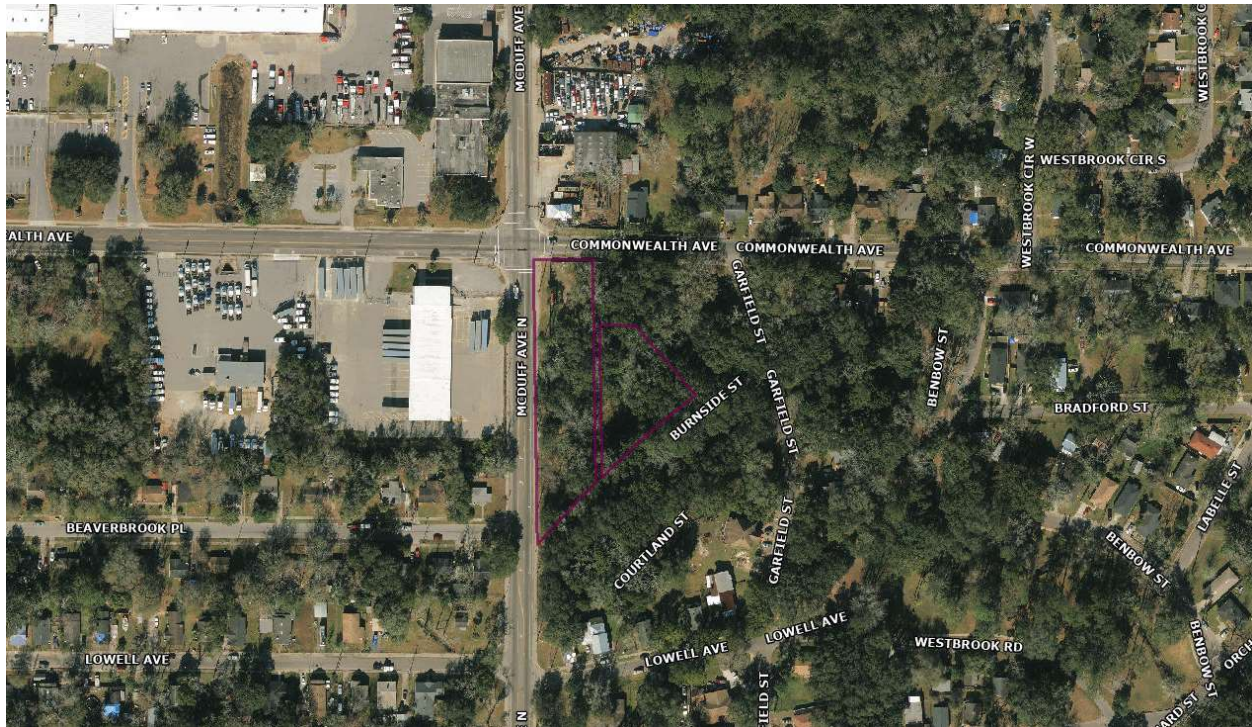




## RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2024-0521** be **DENIED** with the following exhibits:

1. The original legal description dated May 1, 2024.
2. The original written description dated May 20, 2024.
3. The original site plan dated February 15, 2024.
- 4.



*Source: Planning & Development Department, 8/14/24*

**Aerial view of the subject property, facing north.**



*Source: Planning & Development Department, 8/14/24*

**View of the subject property from McDuff Avenue North.**



*Source: Planning & Development Department, 8/14/24*

**View of the subject property from Commonwealth Avenue.**



*Source: Planning & Development Department, 8/14/24*

**View of the residential dwelling, located north of the subject property at 2415 Commonwealth Avenue.**



*Source: Planning & Development Department, 8/14/24*

**View of the residential dwelling, located east of the subject property at 2414 Commonwealth Avenue.**



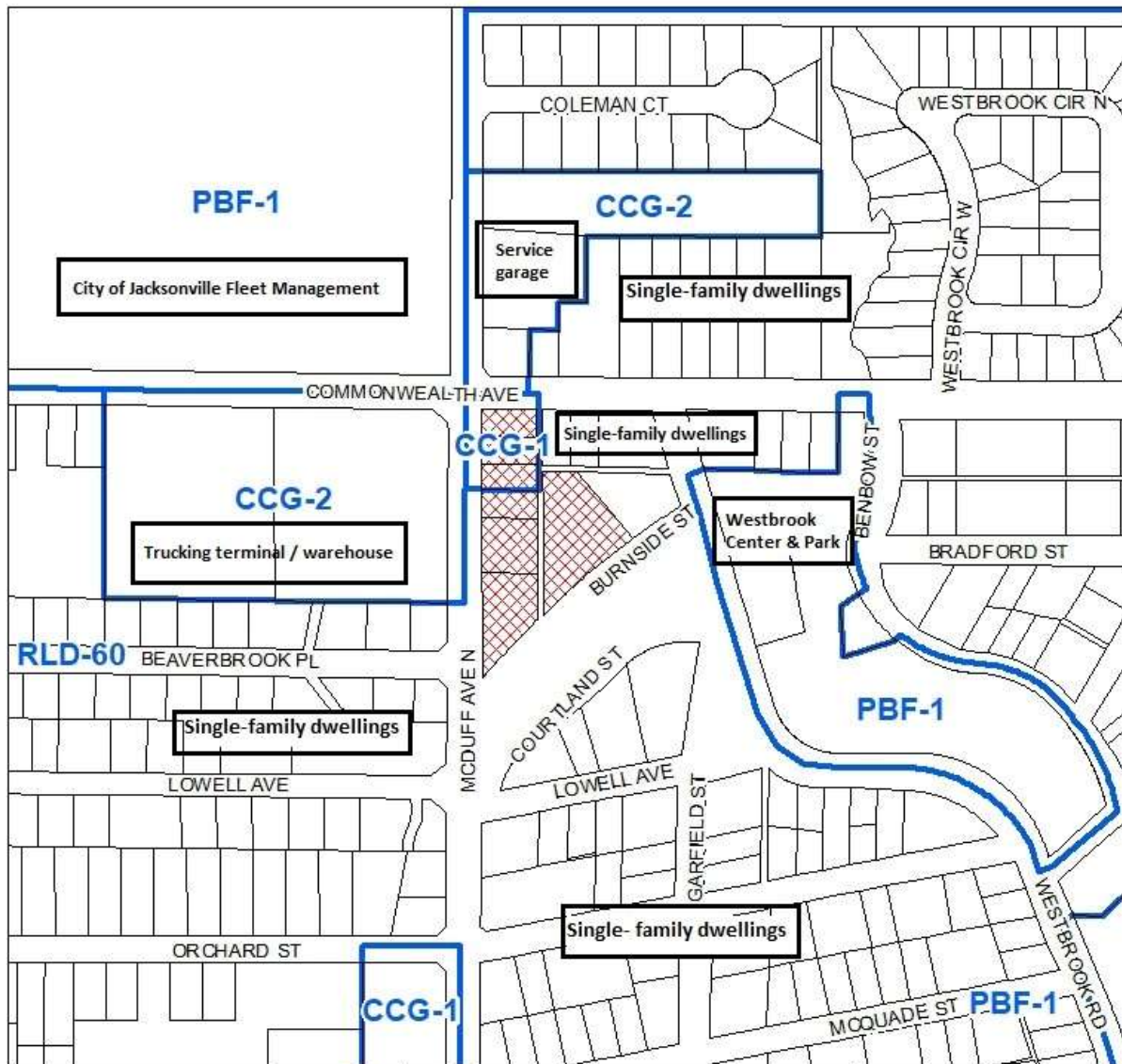
*Source: Planning & Development Department, 8/14/24*

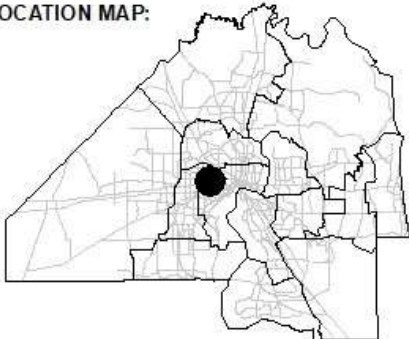
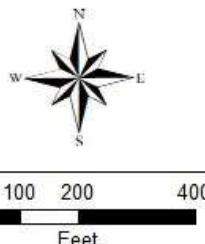
**View of the neighboring commercial, located west of the subject property at 2500 Commonwealth Avenue.**



*Source: Planning & Development Department, 8/14/24*

**View of the neighboring commercial, located north of the subject property at 1005 McDuff Avenue North.**



<p>REQUEST SOUGHT:</p> <p><b>FROM: CCG-1 &amp; RLD-60</b></p> <p><b>TO: PUD</b></p>	<p>LOCATION MAP:</p> 	
<p>ORDINANCE NUMBER</p> <p>ORD-2024-0521</p>	<p>TRACKING NUMBER</p> <p>T-2024-5581</p>	<p>COUNCIL DISTRICT:</p> <p><b>9</b></p> <p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>