

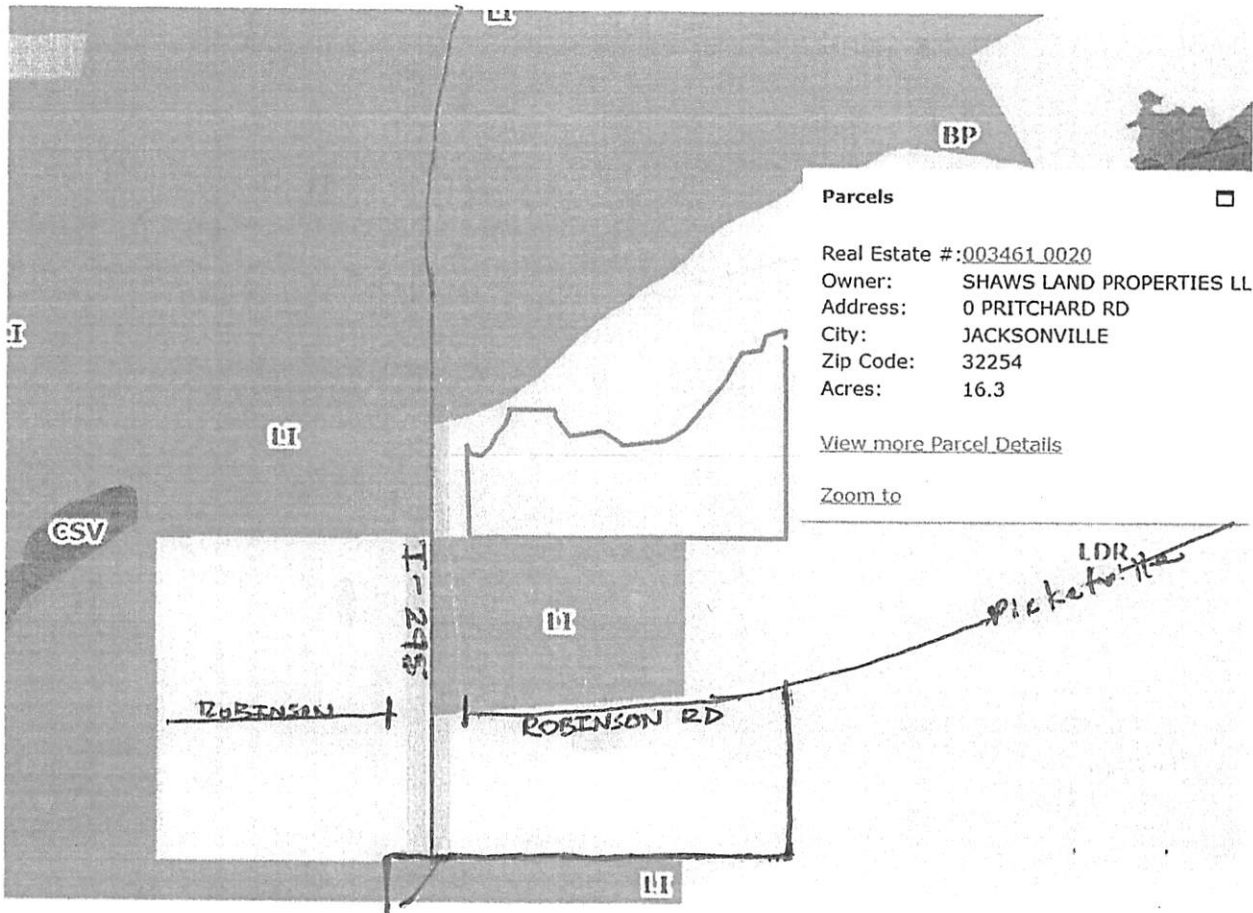
Ordinances 2024-275 & 2024- 276

1. The subject parcel is a 17.8-acre parcel, lying immediately adjacent to I-295 (80,000 vpd) and being within the jurisdiction of the King/Soutel Overlay (Community Redevelopment Area (CRA)).
2. Considering the land use pattern along I-295, this is one of only a handful of properties fronting along I-295 that is NOT designated for Industrial Use.



3. The Department Staff Reports notes that the King Soutel Advisory Board of the CRA, unanimously supported the Rezoning for industrial use.

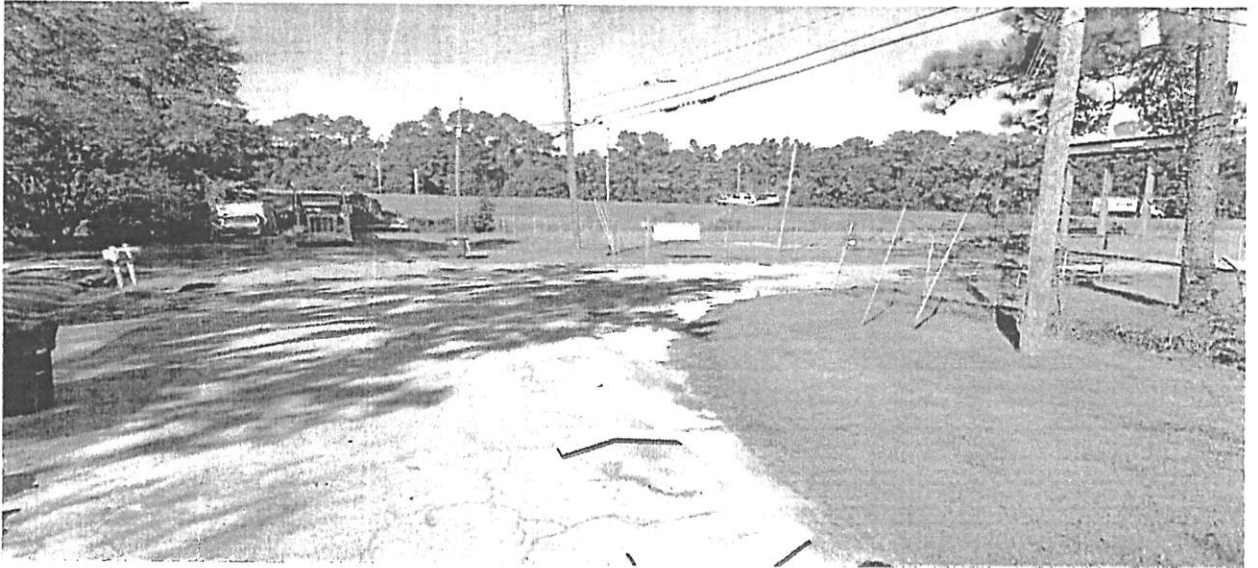
4. In 2019 the Planning Department supported an amendment to the FLUM's, permitting the parcel immediately adjacent to and south of the subject property (14.3 acres) to change from LDR to LI, legitimatizing the existence of a tanker truck hauling company there.
5. As a lawfully non-conforming use, there was no need to grant an LI/IL zoning on that property. Now that user can intensify or conduct any permitted use under the same zoning that this applicant is seeking.
6. Further, this action by the City, effectively trapped the subject parcel between two industrial properties, both also fronting along I-295.



7. The parcel lies within the City's Industrial Sanctuary Overlay.
8. Three sides of the property abut Industrial Land Use Categories (N, S, and W)

The property lies within an area of potential flood risk, which would not likely be utilized during a flood event, Page 6 Staff Report. The Comprehensive Plan does not promote increases in residential densities within flood zones, significantly limiting any residential development potential on the subject property.

9. Robinson Road is a dead ended roadway of about 1,300 feet in length, becoming Pickettville Road, and continuing eastward toward Old Kings Road



10. Pickettville Road is designated as a Collector Roadway according to the City's 2045 Comprehensive Plan, and in 2023 had ADT of 1,182 vehicles, being under its capacity by 93%

The proposed amendment and rezoning are consistent with the City's 2045 Comprehensive Plan and promote numerous GOP's of the same.

Objective 3.2 Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

Policies

3.2.11

The City shall support the location of intense commercial and industrial uses in areas already subject to excessive noise levels and surrounded by land uses that are compatible with such intense uses. subject to a case-by-case review for appropriateness. The Land Development Regulations shall include standards to buffer these intense commercial and industrial uses from adjacent residential or retail commercial development.

3.2.19

The City shall evaluate areas identified as "Industrial Sanctuary" and "Areas of Situational Compatibility" as shown on the Industrial Preservation Map during updates to the Comprehensive Plan planning timeframe, and update it as needed to identify and protect the amount of land and public facilities needed to accommodate future industrial uses. Evaluation should consider the need for new Industrial Land Use areas in the western area of the City (I 10/US 90/SR 301) in lieu of expanding the urban residential development pattern in this area.

3.2.22

The area shown on the Industrial Preservation Map as "Industrial Sanctuary" or "Areas of Situational Compatibility" are presumed to be appropriate for land use map amendments to industrial categories. subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

CPA 2024-306 – PUID2024-307

LUZ

June 4, 2024

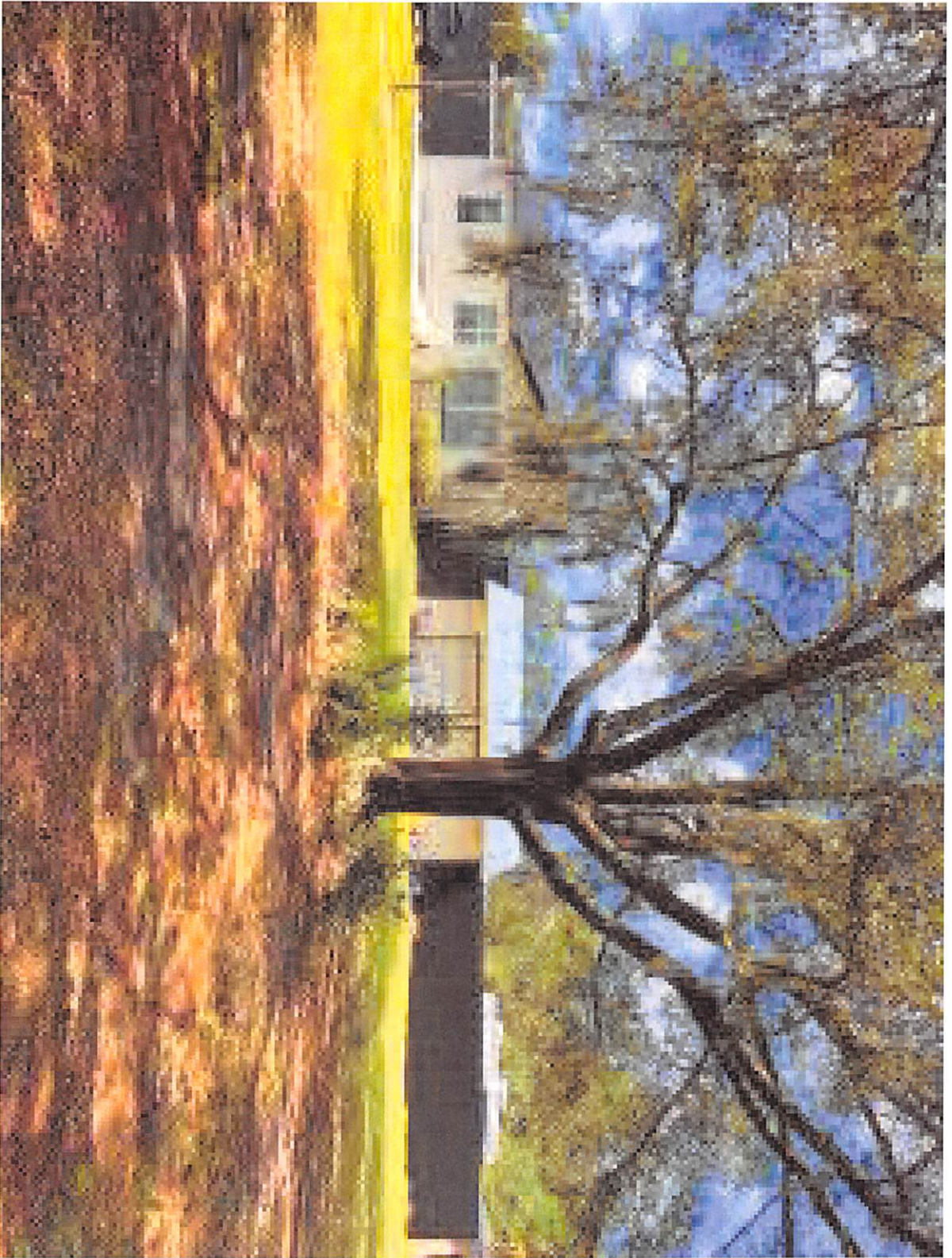






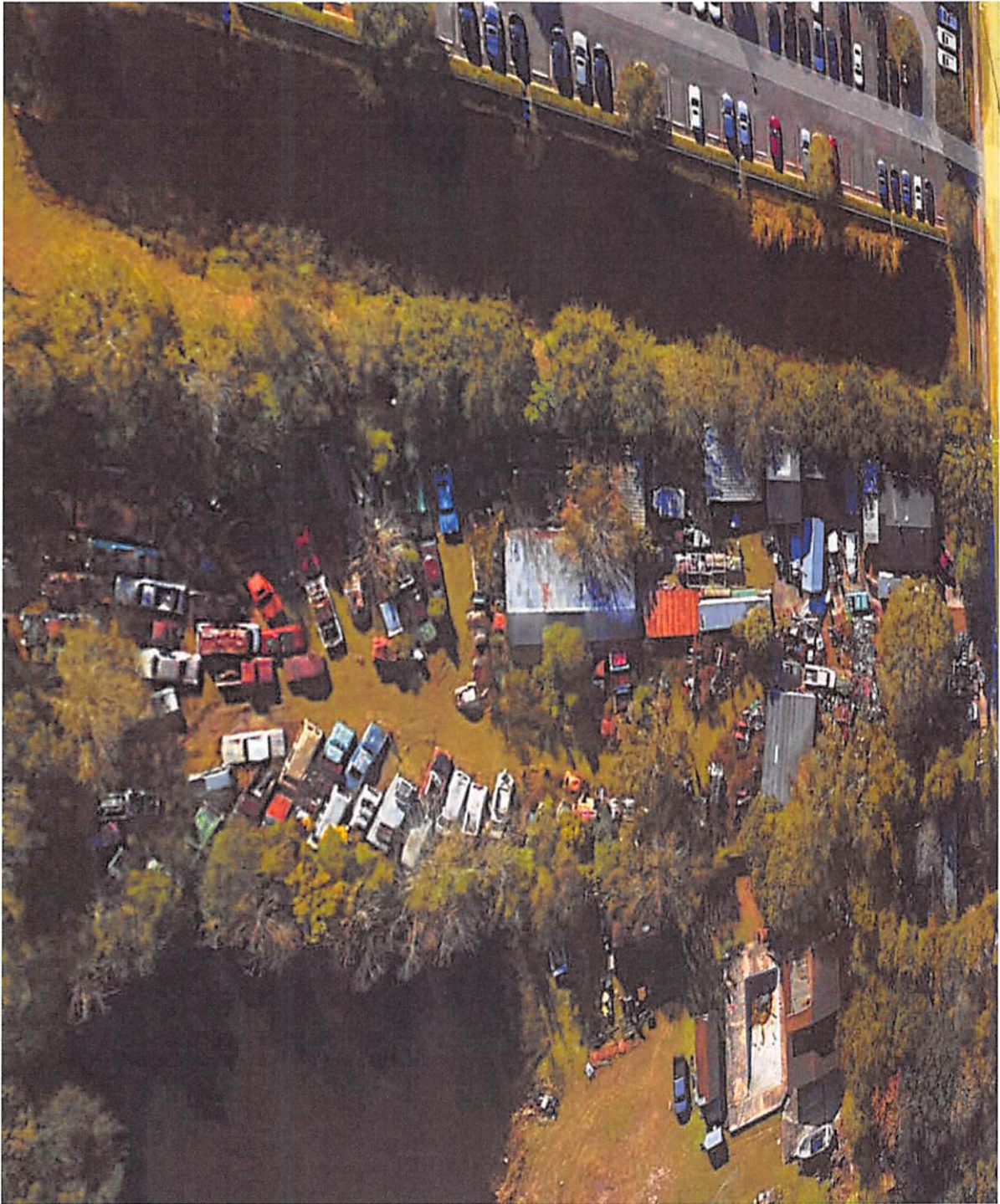






The type, number and location of surrounding external uses: The subject site is located off Jackson Road and several properties north of Atlantic Boulevard. The PUD (2014-0312) to the south was intended to expand the existing car dealership along Atlantic Boulevard. The outside storage of vehicles directly south of the subject property is in relation to the car dealership that begins along Atlantic Boulevard and encompasses several properties. North, east, and west of the subject property are all residential uses as that is the current zoning for this property, as well.

| Adjacent Property | Land Use Category | Zoning District | Current Use |
|-------------------|-------------------|-----------------|-------------------------------------|
| North | MDR | RMD-A | Single Family Dwelling |
| South | MDR | PUD: 2014-0312 | Open Storage |
| East | MDR | RMD-A | Single Family Dwelling/Mobile Home |
| West | RPI | CRO | Single Family Dwellings/Mobile Home |







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225

GRO

211

235

RMD

22



535

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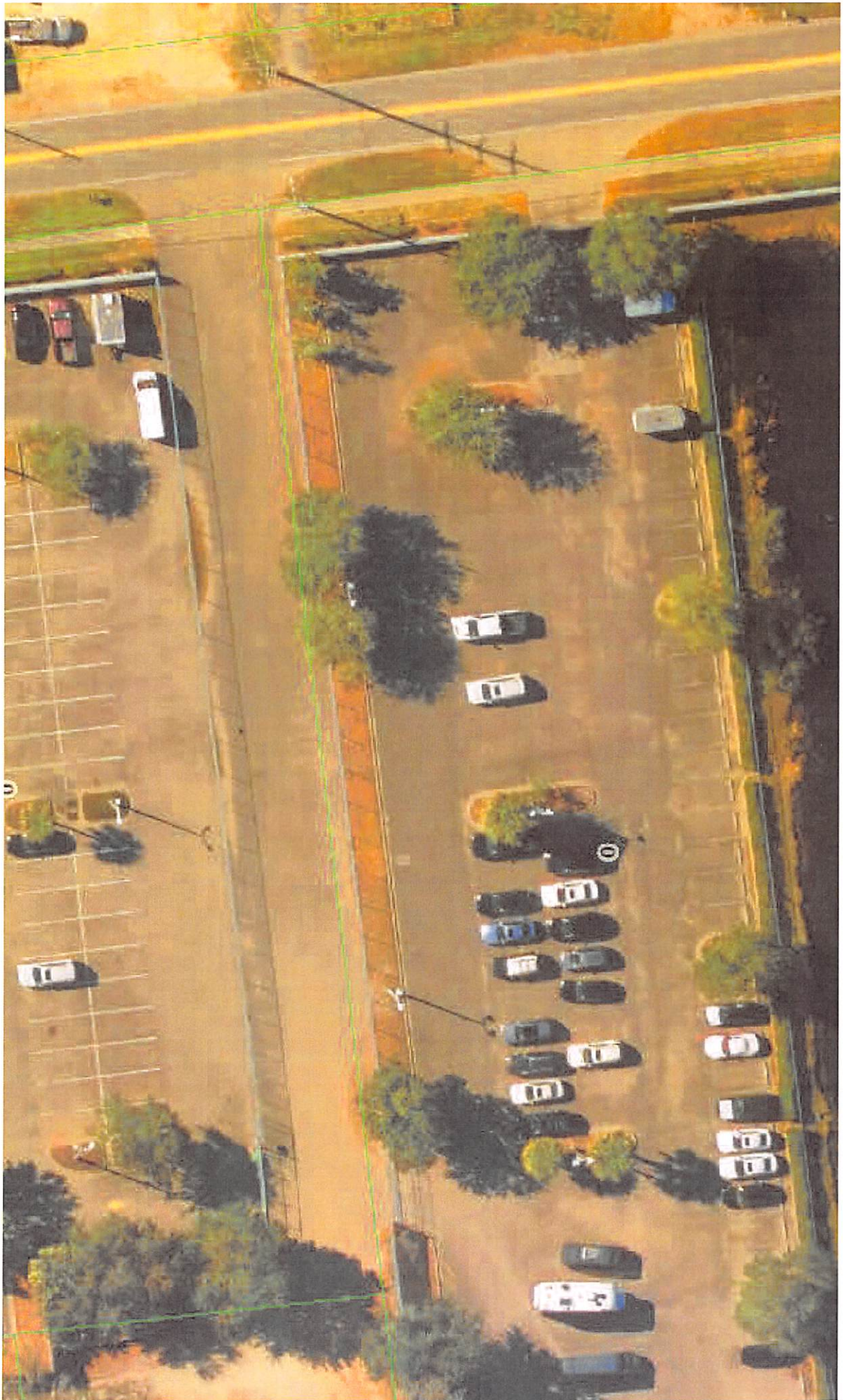




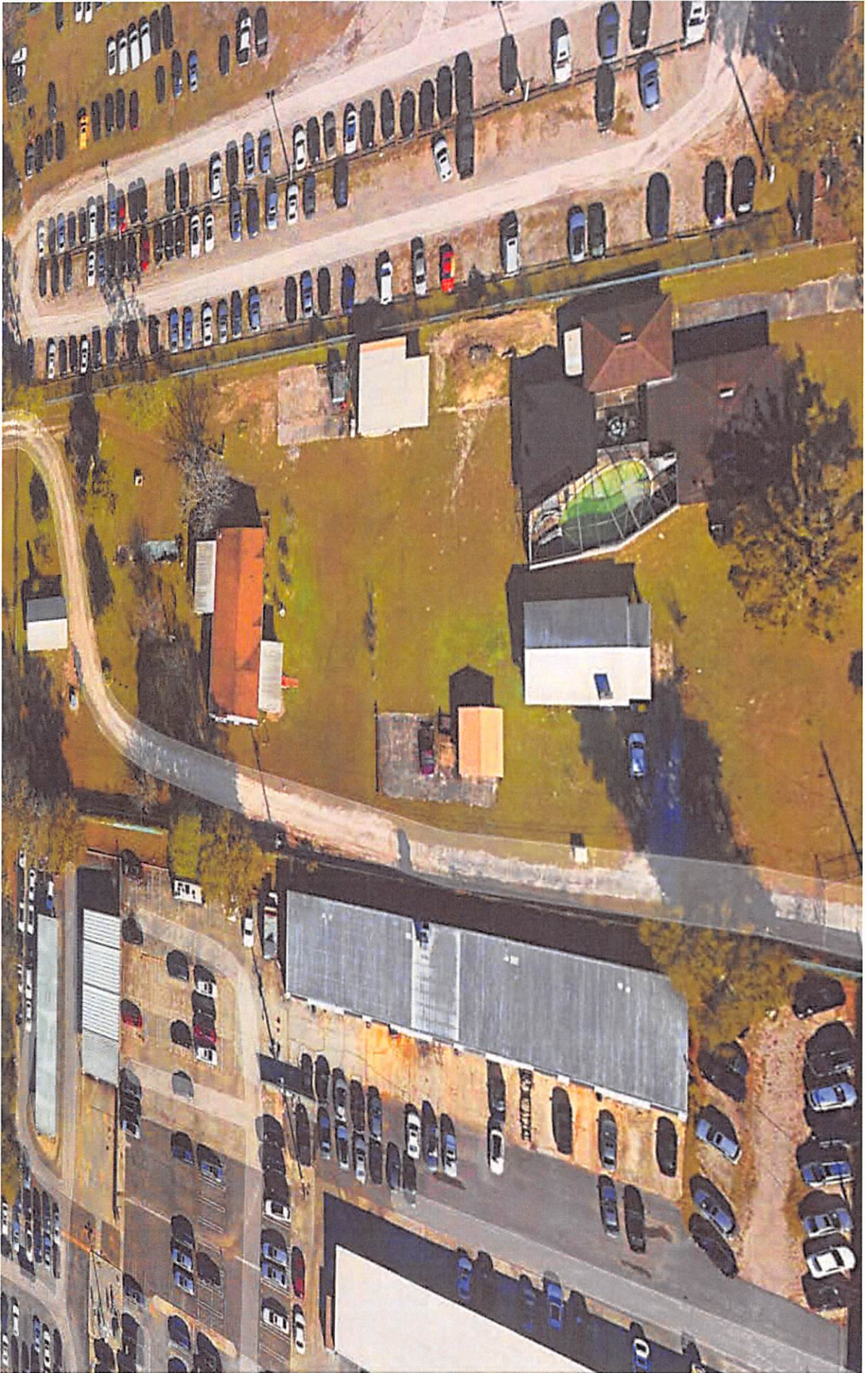
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158
MDR

2014-0312
AWH

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2014-0312 TO
PLANNED UNIT DEVELOPMENT

JUNE 5, 2014

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 2014-0312 to Planned Unit Development.

Location: 114, 149 and 158 Jackson Road; and 131 Lee Road; properties just north of Atlantic Boulevard on the east side of Lee Road and the west and east sides of Jackson Road

Real Estate Number(s): 162945 0010; 162943 0000; 162936 0000; 162951 0000; 162950 0000; 162950 0300; a portion of 162915 0020

Current Zoning District: Planned Unit Development (PUD) per Ord. 2005—38; Residential Medium Density-A (RMD-A)

Proposed Zoning District: Planned Unit Development (PUD)

Current Land Use Category: Community General Commercial (CGC) and Medium Density Residential (MDR)

Planning District: Greater Arlington (2)

City Council Representative: The Honorable William Bishop, District 2

Applicant: Duncan Ross, AICP
Prosser, Inc.
13901 Sutton Park Drive South, Suite 200
Jacksonville, FL 32224

Owner: Nancy Noble
Brumos Companies
7018 Blanding Boulevard
Jacksonville, Florida 32244

Staff Recommendation: DENY

1. Is the proposed rezoning consistent with the 2030 Comprehensive Plan?

No. The Property is located in the Community/General Commercial (C/GC) and Medium Density Residential (MDR) land use categories of the 2030 Comprehensive Plan and is within the Urban and Suburban Development Areas. The purpose of the PUD rezoning is to aggregate the existing, original PUD Property with two additional parcels identified on the site plan as “Additional Parcel No. 1” and “Additional Parcel No. 2” to support the redevelopment efforts and allow for the continued operation of the automobile dealerships. These additional parcels have a land use category of MDR and a Zoning District classification of RMD-A. While the additional parcels will be restricted to supporting commercial retail/service to serve the current PUD use and the automobile dealership establishments to the south, the rezoning is not consistent with the allowed primary and secondary uses pursuant to the MDR land use category in the 2030 Comprehensive Plan.

20. [2014-312](#)

ORD-Q Rezoning 131 Lee Rd (9.93± Acres) - PUD & RMD-A to PUD (Brumos Motor Cars - Dealership & Ancillary Uses) - Brumos Motor Cars, Inc & S.D.S. Autos, Inc. (Dist 2-Bishop) (Hetzel) (LUZ) (PD Deny, PC Am/Apv)

LUZ PH - 6/17/14

Public Hearing Pursuant to Chapt 166, F.S. & CR 3.601 - 6/10/14

1. 5/13/2014 CO Introduced: LUZ

5/20/2014 LUZ Read 2nd & Rerefer

2. 5/27/2014 CO Read 2nd & Rereferred: LUZ

Experte: Schellenberg, Bishop, Holt, Love, Redman (ECA met with Ms. Rewis)

Report: Huxford – recommend approval with 4 conditions

Public hearing opened. Two speaker cards: Ms. Staci Rewis (support) and Duncan Ross (support-questions only). Public hearing closed.

Motion/2nd move to approve with 4 conditions Schellenberg/Bishop (6-0)

Motion/2nd move as amended Schellenberg/Redman 6-0

PH/AMEND/APPROVE 6-0 (Conditions)

81. 2014-[312](#) AN ORDINANCE REZONING APPROXIMATELY 9.93 ACRES LOCATED IN COUNCIL DISTRICT 2 AT 131 LEE ROAD, BETWEEN LEE ROAD AND JACKSON ROAD (A PORTION OF R.E. NO(S) 162915-0020, 162950-0300, 162950-0000, 162951-0000, 162945-0010, 162943-0000 AND 162932-0000), AS DESCRIBED HEREIN, OWNED BY BRUMOS MOTOR CARS, INC. AND S. D. S. AUTOS, INC., FROM PLANNED UNIT DEVELOPMENT (PUD) AND RESIDENTIAL MEDIUM DENSITY-A (RMD-A) DISTRICTS TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT, AS DEFINED AND CLASSIFIED UNDER THE ZONING CODE, TO PROVIDE A UNIFIED DEVELOPMENT FOR AN AUTOMOBILE DEALERSHIP AND ANCILLARY USES INCLUDING CERTAIN EMPLOYEE PARKING AND AUTOMOBILE INVENTORY STORAGE, AS DESCRIBED IN THE APPROVED WRITTEN DESCRIPTION AND SITE PLAN FOR THE AMENDED BRUMOS MOTOR CARS PUD WAIVING PORTIONS OF PART 4 (SUPPLEMENTARY STANDARDS) AND PART 6 (OFF-STREET PARKING AND LOADING REGULATIONS) OF THE ZONING CODE; PUD REZONING SUBJECT TO CONDITION(S); PROVIDING AN EFFECTIVE DATE: 5/13/2014 - Introduced: LUZ, 5/27/2014 - Read 2nd & Rereferred: LUZ, 6/10/2014 - PH Only

REPORT OF THE COMMITTEE ON LAND USE & ZONING: June 17, 2014

The Chair OPENED the Public Hearing and extended the Privilege of the Floor to anyone in the audience desiring to address the Committee. The Chair CLOSED the Public Hearing.

Recommend to AMEND and APPROVE.

COUNCIL MEMBERS - Bishop, Boyer, Holt, Love, Redman, Schellenberg, (6)

REPORT OF COUNCIL: June 24, 2014

The Floor Leader moved the First Amendment. The motion CARRIED.

The Floor Leader moved the Second Amendment. The motion CARRIED.

The Chair declared the File APPROVED as twice AMENDED.

AYES - Anderson, Bishop, Bover, Carter, Clark, Crescimbeni, Gaffney, Gulliford, Holt, Jones, Lee, Love, Lumb, Redman, Schellenberg, Yarborough. (16)

Principal Uses

Multi-family dwellings; Office; Institutional, including large scale institutional uses, which require supporting residential and office components; Nursing homes and similar uses; Neighborhood commercial retail sales and service establishments, except for new or used automobile sales, funeral homes, and broadcasting offices and studios; Live/Work Units; Microbreweries; Financial institutions; Restaurants

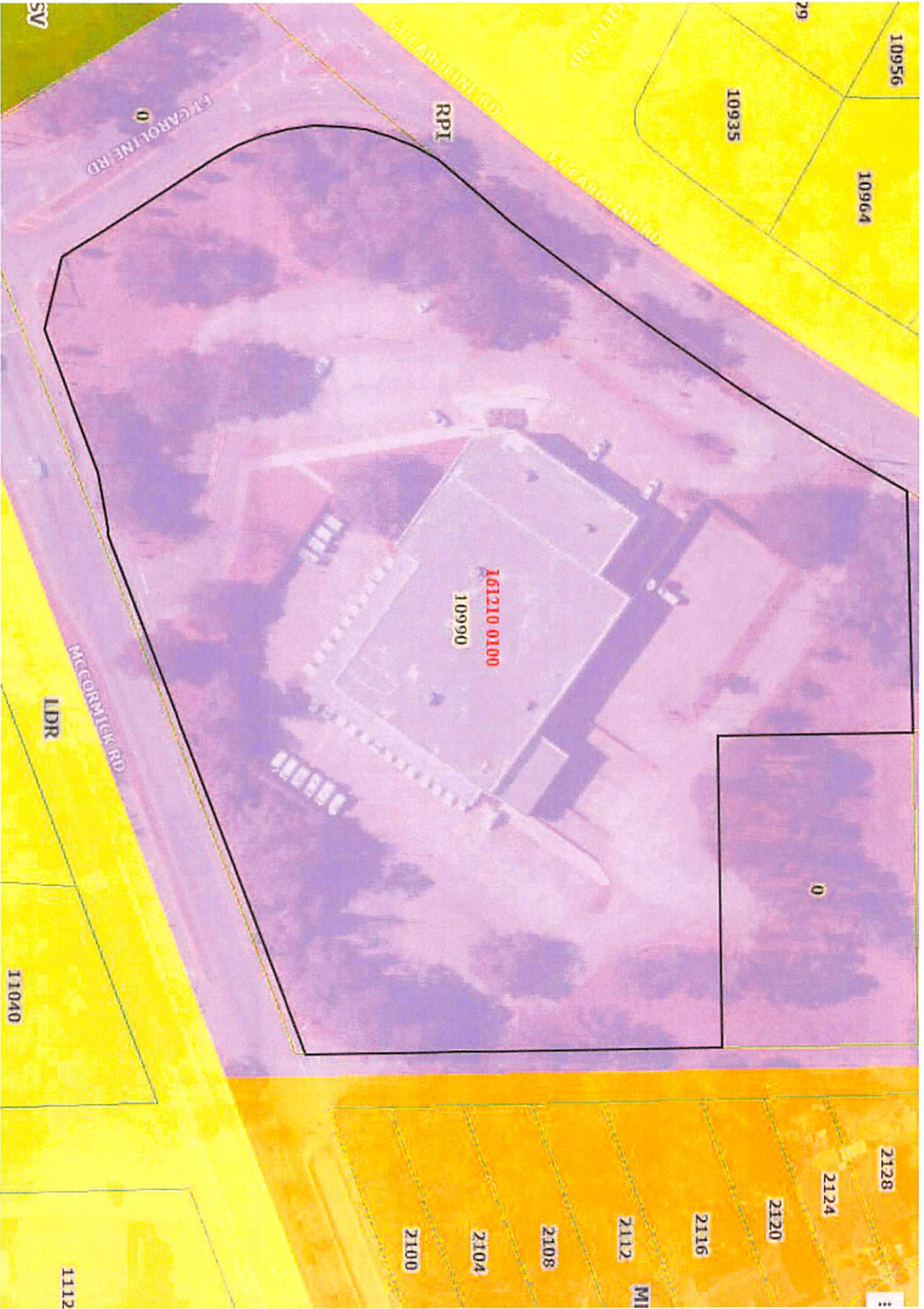
(without drive-in or drive-thru facilities); Single Room Occupancies (SROs); Off street parking lots and garages when combined with another principal use; Single-family dwellings which were originally constructed as single-family dwellings prior to adoption of the 2010 Comprehensive Plan; and Uses associated with and developed as an integral component of TOD.

Secondary Uses

Secondary uses permitted in all residential land use categories; Neighborhood supporting recreation facilities and public facilities, such as Schools, Religious institutions and places of worship, Day care centers, Fire stations, Libraries, Community centers, Essential services, Home occupations, Golf, yacht, tennis and country clubs, Driving ranges, Community residential homes, Cemeteries and mausoleums but not funeral homes or mortuaries, Bed and breakfast establishments in appropriate locations in the designated historic residential districts, and Stormwater facilities.

Secondary uses having external impacts similar to the primary uses described above are also included. Examples of these uses are: Trade schools and colleges, hospitals, medical centers, clinics, and sanitariums; Museums; Art galleries; Theaters for stage performances (but not motion picture theaters) and related uses; Convention, exhibition, trade, and festival facilities and other similar institutional uses; Transit stations; and Off street parking lots and garages that serve principal or secondary uses permitted within the RPI category.

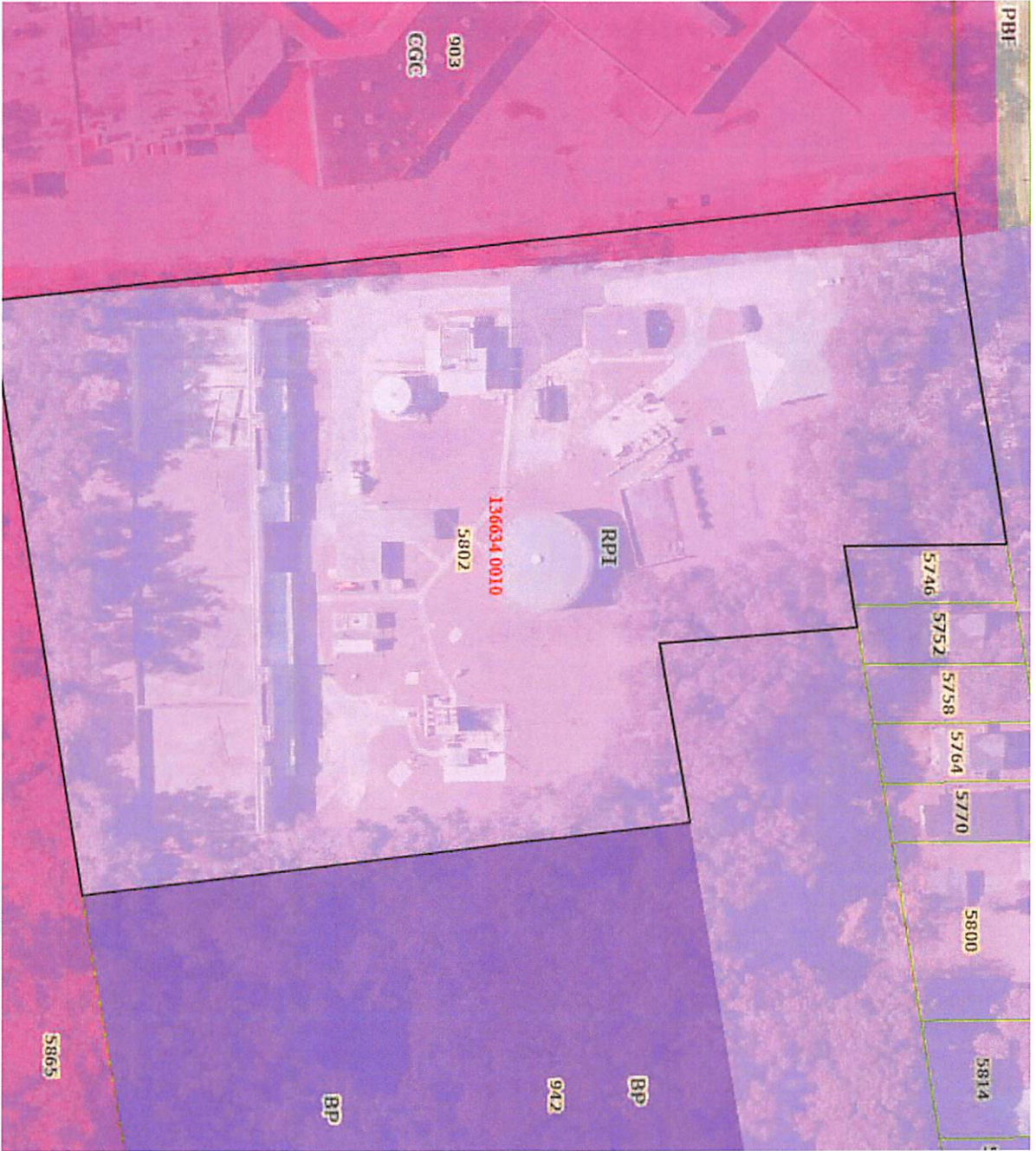
In addition, the following secondary uses may also be permitted: Single-family dwellings; Veterinary Offices; and Filling stations.





9010

RPI 148749 0000



PBI

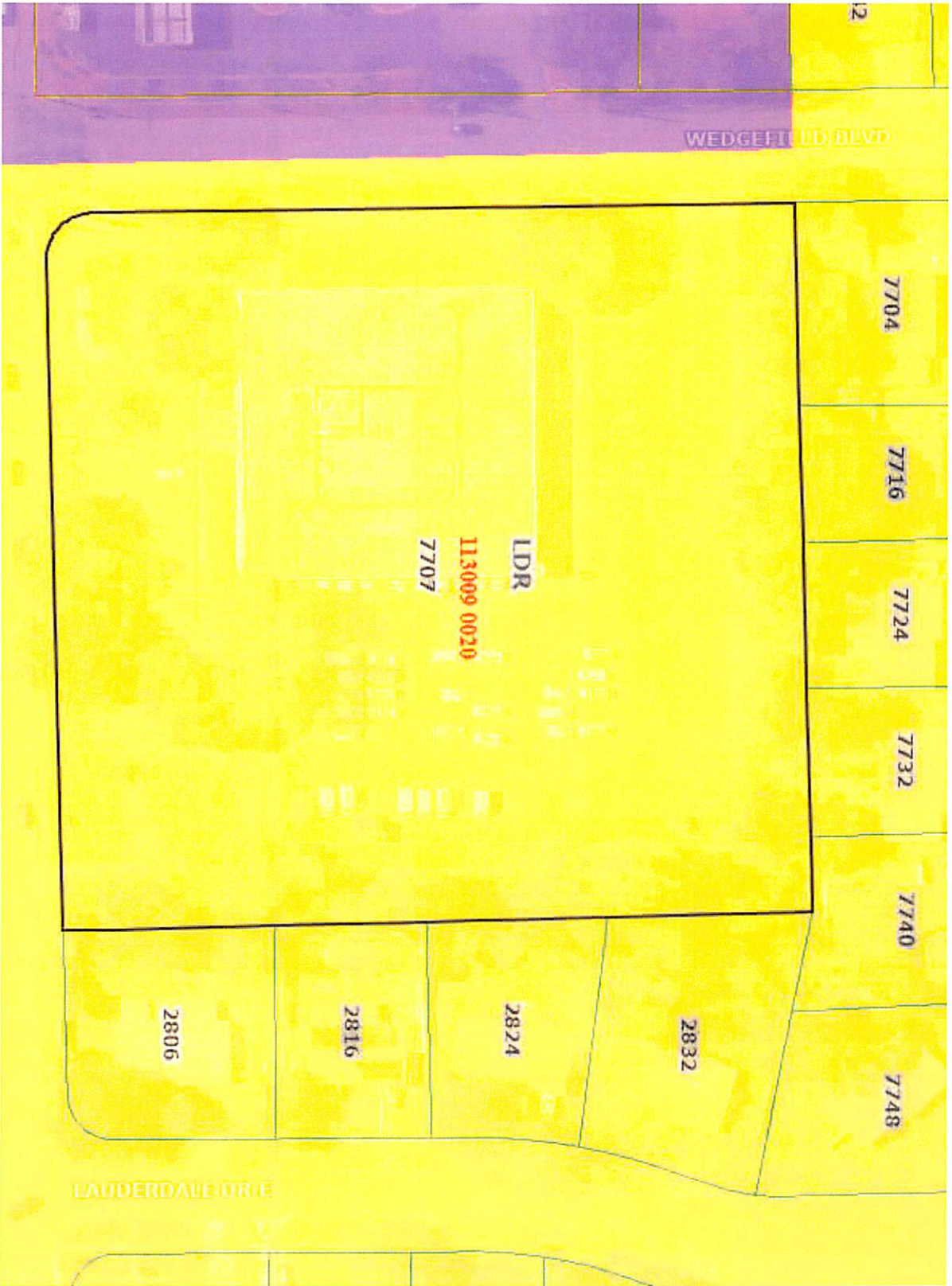
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To Whom It May Concern,

I am the owner and resident of 246 Jackson Road.


My property is immediately next door to the property subject to the proposed rezoning and land use amendment.

I am writing to offer my support for both applications.

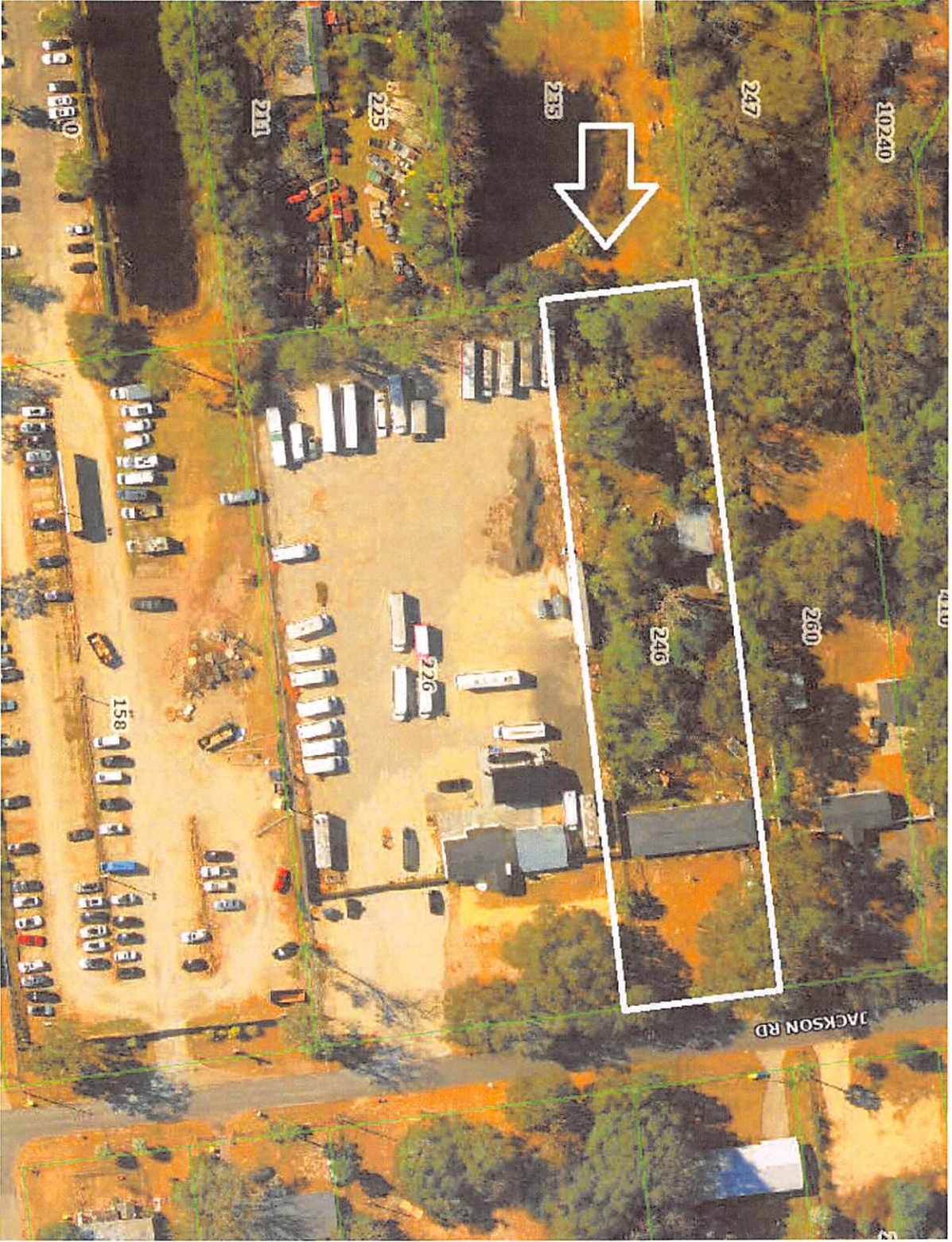
The use of 226 Jackson Road has had no impact on the use and quiet enjoyment of my property. Moreover, the use is extremely low intensity, with very little traffic or people.

My concern is that if the rezoning and land use amendment are not passed this quiet use will be replaced with a more intense use of the property, such as several multi-family units. My understanding is the current zoning allows for up to 40 residential units on these two acres, which will generate more noise and traffic than what is currently being operated.

Please support and vote in favor of these two applications.



Richard Reed
Owner 246 Jackson Road
Date: 5/15/24





To Whom It May Concern,

I am the Store Manager of the MIDAS Auto Repair shop at 10311 Atlantic Blvd. We are located at the intersection of Atlantic Blvd and Jackson Road, less than a quarter mile from 226 Jackson road, the property subject to the proposed rezoning and land use amendment.

I am writing to offer my support for both applications.

The use of 226 Jackson Road has had substantial impact on our business. Jax Party Bus & Limousine began using our services for all of their automotive service needs. They have increased our business significantly during their time on Jackson Road and we couldn't be more grateful for their support, business and trust in our services.

My concern is that if the rezoning and land use amendment are not passed we will lose a great customer and a large percentage of our business.

Please support and vote in favor of these two applications.


Daniel Stapler
Business Operator & Store Manager, MIDAS Auto Repair
Date: 5/21/24



To Whom It May Concern,

I am the general manager of the DaddyO's Discount Stereo at 10343 Atlantic Blvd.

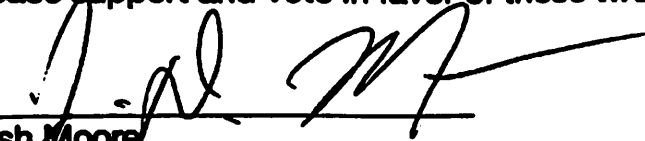
Jax Party Bus & Limousine has become one of our best customers since moving to 226 Jackson road, the property subject to the proposed rezoning and land use amendment.

I am writing to offer my support for both applications.

The use of 226 Jackson Road has had substantial positive impact on our business. Jax Party Bus & Limousine began using our services for all of their audio needs. They have increased our sales significantly during their time on Jackson Road and we couldn't be more grateful for their support, business and trust in our products and services.

My concern is that if the rezoning and land use amendment are not passed we will lose a great customer and a large percentage of our business.

Please support and vote in favor of these two applications.



**Josh Moore
General Manager, DaddyO's Discount Stereo**

Date: 5/21/24

IV. USES AND RESTRICTIONS

A. Permitted Uses:

The permitted uses shall be limited to those allowed in the CO zoning district (e.g., professional office building), including the ~~ancillary~~-vehicular use area for the parking, and storage, ~~and light maintenance~~ of fleet vehicles (limousines and buses) associated with the business.

B. Permitted Accessory Uses and Structures:

Accessory uses and structures are allowed as permitted in Section 656.403 of the Zoning Code.

Ordinances 2024-306 & 2024-307

Indulge me while I restate what you already know about Comprehensive Planning.

The Comprehensive Plan is a broad, general document, intended to outline the goals, objectives, and policies of the community in its planning process.

The Zoning Code is one of numerous documents that are intended to implement the Comprehensive Plan, by providing details related to the uses and bulk regulations for each Zoning District. But again, are limited to the specific zoning district and do not serve to limit the land use categories of which they pertain to.

In the event of a conflict between the two, the Land Use Designation, or Comprehensive Plan prevails.

A Planned Unit Development (PUD) is a stand-alone zoning district, whereby the applicant rewrites the zoning standards in their proposal.

In this instance the land use is being amended from MDR to Residential Professional Institutional (RPI), which is considered a Commercial Category, according to our comprehensive plan.

The Planning and Development Departments approval of an even more intensive use in the Medium Density Residential (MDR) category, a Residential Category, for (Vehicle storage) on the parcel immediately south of the subject property.



As you can see from the photo, taken from the subject parcel, the property is utilized by Lexus of Jacksonville as a storage lot for vans, campers, and other vehicles. The property provided no landscape buffer and utilized lighting with large poles, creating trespass lighting onto the subject parcel.



So, the Department had opined in the past that such similar uses were somehow acceptable in the MDR Category, a residential use category, but not in the RPI, a commercial use category.

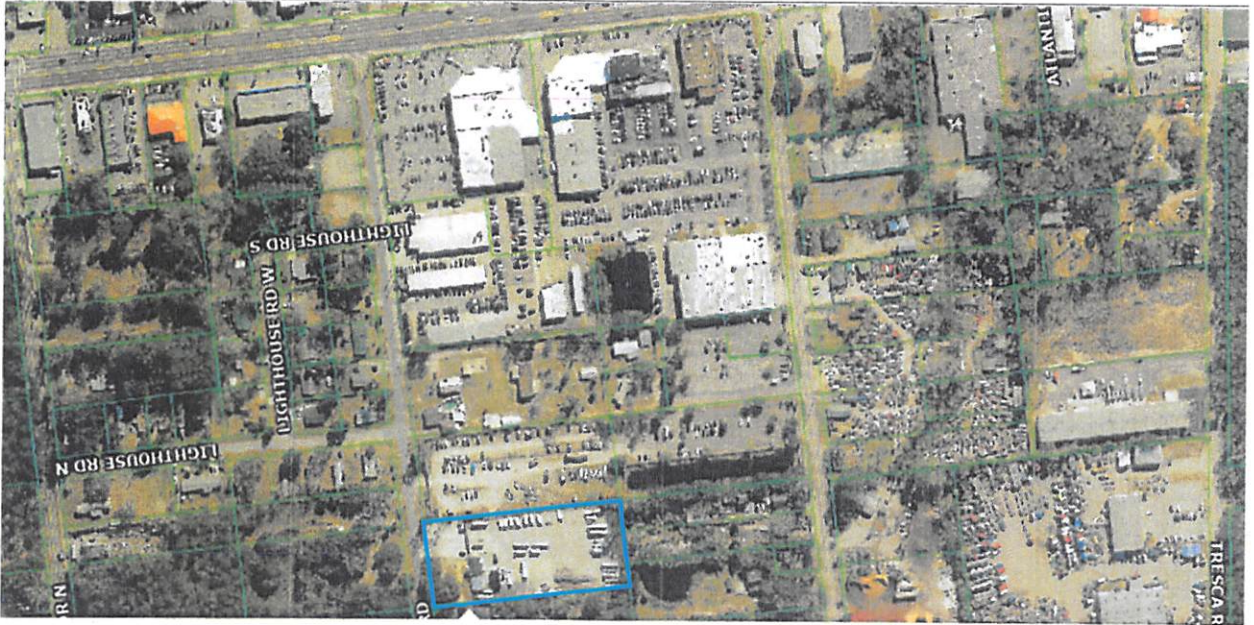
In this instance the Department is states in their report that the RPI category is “intended to provide transitional uses between commercial, office, and residential uses” and finds that the use is not a limited neighborhood commercial service establishment as defined in Part 16 of the Zoning Code.

Remember earlier when we discussed that the Zoning Code does not serve to define or limit the Comprehensive Plan? So using Part 16 of the Code to determine such a service is inappropriate.

The Comprehensive Plan does define Neighborhood Commercial as including convenience goods and personal services, noting that RPI is generally intended to provide transitional uses between commercial, office and residential uses.

The intended use here is an Office, which will dispatch a vehicle to a location, picking up customers and returning to the location with only the driver aboard. This is like any other permitted professional office which would be allowed by right in the RPI/CRO designations.

The staff has opined that the vehicles are somehow too large, that being the issue of intensity. Yet, there was no such consideration for this parcel when the auto dealer was expanding and needed a "storage lot". In this instance no "storage" is intended, as the vehicles are simply parked on the site awaiting dispatch to another location. Again, the use of the property is an Office and use of the vehicles occurs off-site.



Vehicle size has no relation to the intensity of the use as defined in the Comprehensive Plan. Rather, the zoning code makes such distinctions. This project is otherwise compliant with the use as permitted under the RPI Category, and the proposed PUD addresses the vehicles and the parking.

As Mr. Miller has discussed, many other permitted uses include the use of or operation of larger vehicles at similarly designated properties (RPI), including schools and school buses, as well as hospitals and the operations of emergency vehicles.

Goal 1 – Ensuring the character and location of land uses optimizes the economic benefit, while minimizing threats to public health. No threats to the public health exist in this use being located in the RPI Category and the proposed PUD addresses these concerns as well.

Policy 1.1.7 – the gradual transitions of intensities between land uses shall be achieved through zoning and development review process. The PUD proposed will promote compliance with this policy.

Goal 3 – Achieve a well balanced and organized combination of residential and non-residential uses served by a convenient and efficient transportation network, preserving the fabric and character of the City’s neighborhoods and enhancing the viability of non-residential areas. The support of the adjacent and affected landowner to the north demonstrates that no negative effects will occur to the neighborhood.

Policy 3.2.4 – 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 the design criteria of the land development regulations. The proposed use is most similar to, and arguably less intensive than that of the adjacent parcel used by the auto dealer in a Residential Land Use Category. The use does not promote traffic further north onto Robinson Road and the PUD would assure compliance with applicable land development regulations.

