

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

June 23, 2022

The Honorable Terrance Freeman, President
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.: 2022-351**

Dear Honorable Council President Freeman, 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: **Approve**

Planning Commission Recommendation: **Approve**

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

Planning Commission Vote: 8-0

David Hacker, Chair Aye

Alex Moldovan, Vice Chair Aye

Ian Brown, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

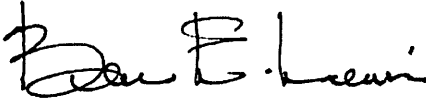
Jordan Elsbury Aye

Joshua Garrison 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 2022-0351

JUNE 9, 2022

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 **2022-0351**.

Location: 0 Old Kings Road
Between Soutel Drive and Millwright Court

Real Estate Number: 003459-0300

Current Zoning District: Residential Rural-Acre (RR-Acre)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Light Industrial (LI)

Planning District: District 5 – Northwest

Applicant: James Pearce, Esq.
Heekin Law, P.A.
7220 Financial Way
Jacksonville, Florida 32256

Owner: Zoran Rajsic
Nationwide Truck Line, Inc.
329 Cloisterbane Drive
St. Johns, Florida 32259

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2022-0351** seeks to rezone 2.24± acres of land from Residential Rural-Acre (RR-Acre) to Industrial Light (IL). The property is located in the Low Density Residential (LDR) land use category within the Suburban Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. A companion Small Scale Land Use Amendment **2022-0350** is being sought to change the Land Use Category from Low Density Residential (LDR) to Light Industrial (LI). The request is being sought in order to allow for the

property to be used as a truck storage and maintenance facility similar to the neighboring properties to the north of the subject site.

The **Renew Arlington CRA Board** has reviewed and recommended Denial for the Rezoning and Land Use Change. The full comments of the CRA can be found in the Ordinance File.

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. Zoning application Ordinance 2022-351 has a companion land use application, Ordinance 2022-350/ L-5693-22C that is changing the land use from LDR to LI in the Suburban Development Area on the subject 2.24 acre site. The subject site is located on the northeast corner of Soutel Drive and Old Kings Road. According to the City's Functional Highways Classification Map, Old Kings Road is considered a minor arterial roadway and Soutel Drive is unclassified.

The application site is surrounded by a mix of uses in the Community/General Commercial (CGC), Business Park (BP), and Light Industrial (LI) land use categories.

Light Industrial (LI) land use category provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes. Principal uses in the LI category include but are not limited to light assembly and manufacturing, packaging, processing, storage and warehousing.

The subject site is within an Industrial Situational Compatibility Zone. Per FLUE Policy 3.2.30, sites within such zones 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.

The proposed IL rezoning is consistent with the proposed LI land use amendment application for the subject site.

2. ***Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?***

Yes. This proposed rezoning to Planned Unit Development is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application has been reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element (FLUE):

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

Policy 1.1.5 The amount of land designated for future development should provide for a balance of uses that:

- A. Fosters vibrant, viable communities and economic development opportunities;
- B. Addresses outdated development patterns;
- C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

Policy 1.1.21 Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

Policy 3.2.30 The area shown on the Industrial Preservation Map (Map L-23) 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.

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

No. If the proposed land use amendment is approved, the proposed rezoning will not be 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 Residential Rural- Acre (RR-Acre) to Industrial Light (IL) in order to permit general trucking uses.

SURROUNDING LAND USE AND ZONING

The subject property is located on the north side of Soutel Drive at the northeast corner of Old Kings Road and Soutel Drive. This portion of Old Kings Road is developed with a mix of Industrial and retail uses with as single-family dwellings located behind the uses. The site has access to full urban services, and the adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LI	PUD	Storage / Industrial
East	LI	IL	Storage
South	LI	IL	Vacant Industrial
West	LDR/LI	RR-Acre /IL	Single-Family Dwelling / Vacant Industrial

It is the opinion of the Planning and Development Department that the requested rezoning to LI will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on June 1, 2022 by the Planning and Development Department, the required Notice of Public Hearing signs **were** posted.



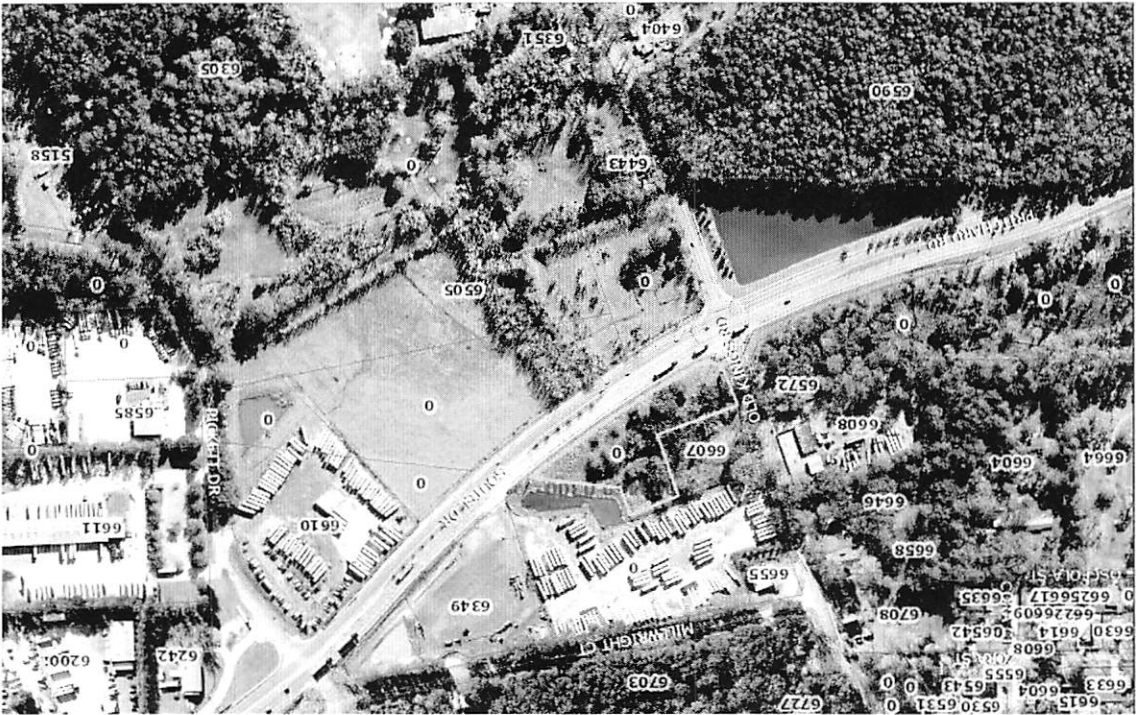
RECOMMENDATION

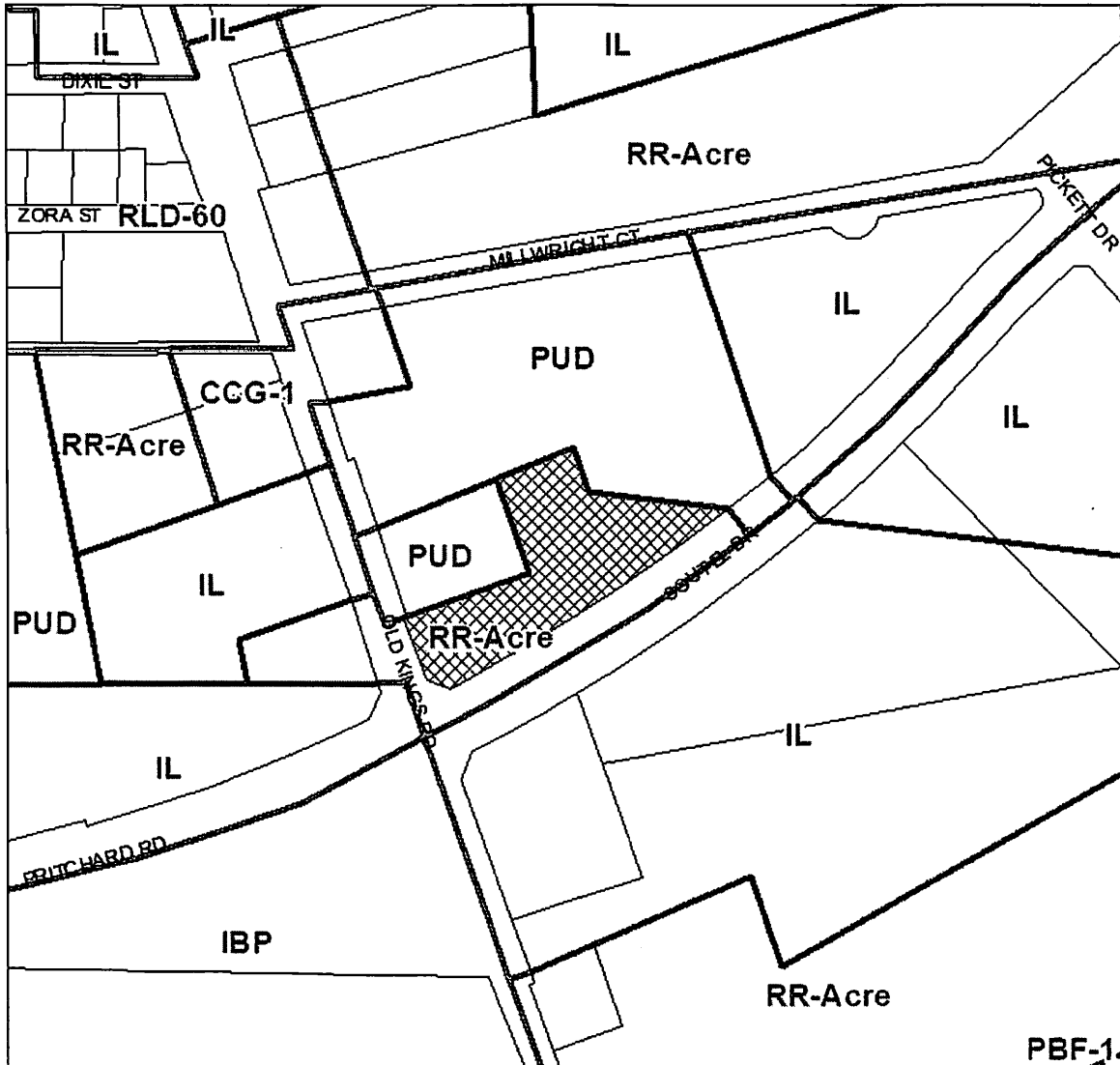
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2022-0351** be **APPROVED**.

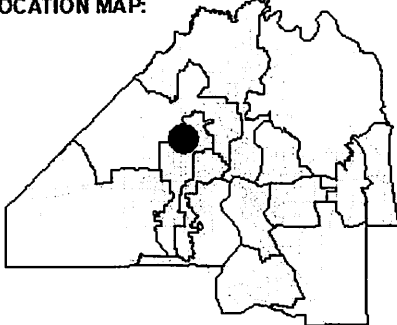
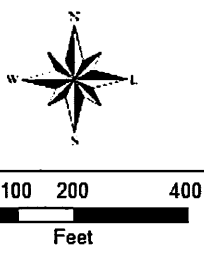
View of the Subject Site



Aerial View





<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: IL</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT: 10</p>
<p>ORDINANCE NUMBER ORD-2022-0351</p>	<p>TRACKING NUMBER T-2022-4159</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

Legal Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0351 **Staff Sign-Off/Date** CMC / 04/22/2022

Filing Date 05/06/2022 **Number of Signs to Post** 4

Meeting Dates:

1st City Council 06/14/2022 **Planning Commission** 06/09/2022

Land Use & Zoning 06/22/2022 **2nd City Council** 06/28/2022

Neighborhood Association PICKETTVILLE CIVIC CLUB; KINLOCK CIVIC ASSOCIATION

Neighborhood Action Plan/Corridor Study KINGS-SOUTEL CRA

Application Info

Tracking # 4159 **Application Status** FILED COMPLETE

Date Started 03/11/2022 **Date Submitted** 03/11/2022

General Information On Applicant

Last Name	First Name	Middle Name
PEARCE	JAMES	L

Company Name
HEEKIN LAW, P.A.

Mailing Address
7220 FINANCIAL WAY

City	State	Zip Code
JACKSONVILLE	FL	32256

Phone	Fax	Email
9043672321	9049989736	JAMES.PEARCE@LANDMARKTITLE.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
RAJSIC	ZORAN	

Company/Trust Name
NATIONWIDE TRUCK LINE, INC.

Mailing Address
329 CLOISTERBANE DRIVE

City	State	Zip Code
ST JOHNS	FL	32259

Phone	Fax	Email
9042334119		NATIONWIDETRUCK@GMAIL.COM

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 003459 0300	10	5	RR-ACRE	IL

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

Existing Land Use Category
LDR

Land Use Category Proposed?

If Yes, State Land Use Application #
5693

Total Land Area (Nearest 1/100th of an Acre) 2.24

Justification For Rezoning Application

1) TO MATCH ADJACENT/SURROUNDING ZONING CLASSIFICATIONS; AND 2) TO ALLOW THE COMPANYS INTENDED USE AS A TRUCK STORAGE AND MAINTENANCE FACILITY.

Location Of Property

General Location

NE CORNER OF SOUTEL DR AND OLD KINGS ROAD

House #	Street Name, Type and Direction	Zip Code
0	OLD KINGS RD	32219

Between Streets

SOUTEL DR and MILLWRIGHT COURT

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

2.24 Acres @ \$10.00 /acre: \$30.00

3) Plus Notification Costs Per Addressee

11 Notifications @ \$7.00 /each: \$77.00

Total Rezoning Application Cost: \$2,107.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

Legal Description

April 19, 2022

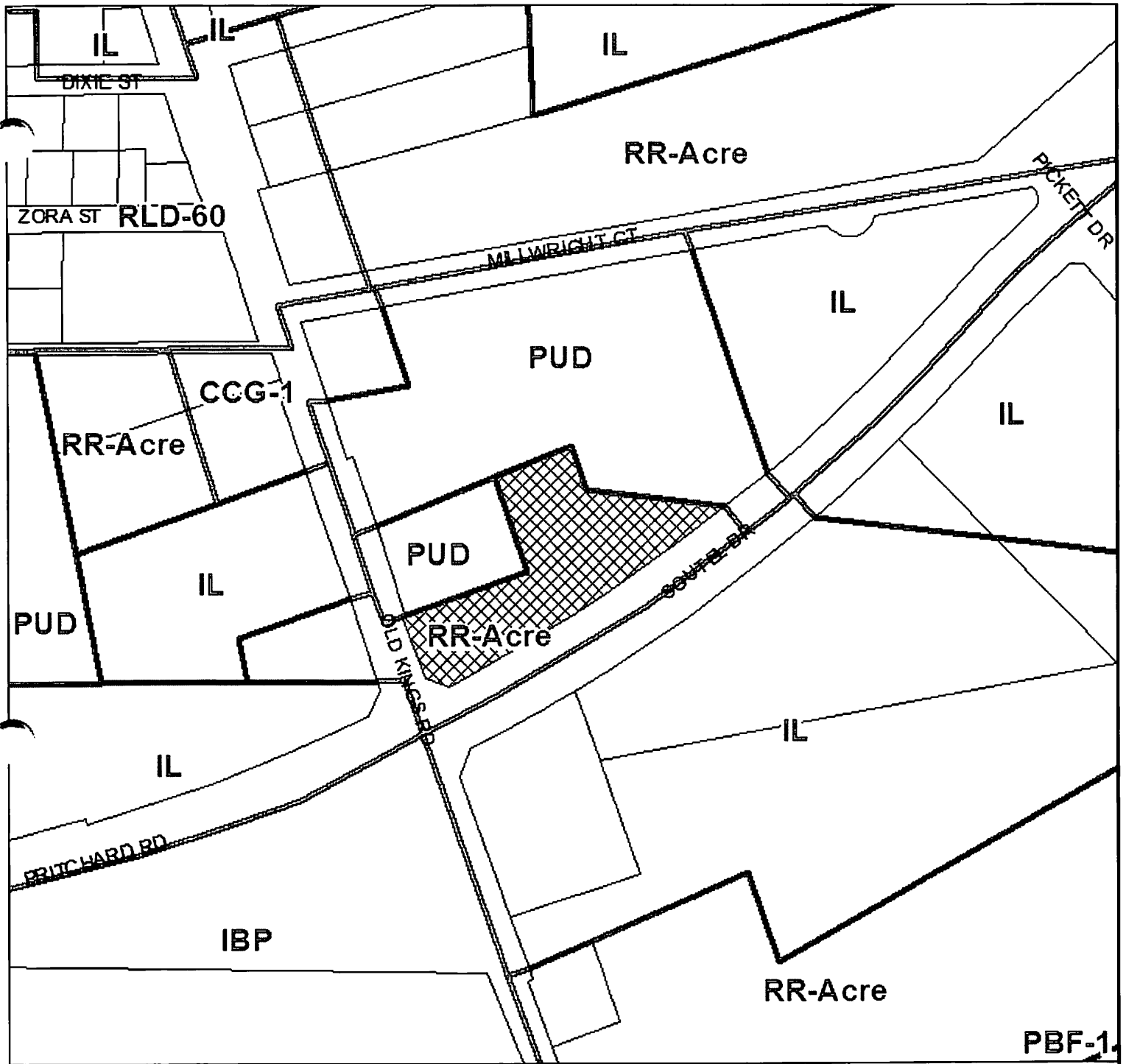
A portion of the Charles F. Sibbald Grant, Section 39, Township 1 South, Range 26 East, together with a portion of the Charles F. Sibbald Grant, Section 40, Township 1 South, Range 25 East, Duval County, Florida, being more particularly described as follows:

Commence at the intersection of the Easterly right of way line of Old Kings Road, a 60 foot right of way as presently established, and the Southerly right of way line of Soutel Drive, a 60 foot right of way as presently established; thence South 18°41'20" East, along said Easterly right of way line, 396 feet; thence North 67°55'20" East, departing said Easterly right of way line and along the Southerly line of the land described and recorded in O.R. Book 6102, Page 2390, of the current Public Records of said county, 245.00 feet to the Point of Beginning.

From the Point of Beginning, thence continue North 67°55'20" East, along said Northerly line, 148.20 feet; thence South 19°20'20" East, departing said Southerly line, 84.97 feet to a point on the Southerly line of the lands described and recorded in O.R. Book 4690, Page 877, said current Public Records; thence South 83°11'10" East, along said Southerly line, 1149.05 feet to a point on the Westerly right of way line of Pickett Drive, a 60 foot right of way as presently established; thence South 02°04'57" East, along said Westerly right of way line, 158.16 feet; thence South 79°46'10" West, departing said Westerly right of way line, and along the Southerly line of the lands described and recorded in O.R. Book 4499, Page 18, 1400.60 feet to a point on said Easterly right of way line of Old Kings Road; thence North 18°41'20" West, along said Easterly right of way line, 331.00 feet to its intersection with the Southerly line of the lands described and recorded in O.R. Book 6467, Page 352, Parcel 2; thence North 70°30'00" East departing the Easterly right of way line and along said Southerly line, 244.59 feet; thence North 18°41'20" West, departing said Southerly line and along the Easterly line of the land described and recorded in O.R. Book 6467, Page 352, Parcels 1 and 2, a distance of 182.00 feet to the Point of Beginning.

BEING ONLY THAT PORTION located Northerly of O.R. Book 9771, Page 145; Easterly of Old Kings Road; Southerly O.R. Book 18318, Page 1901; and

LESS AND EXCEPT those lands described in O.R. Book 18507, Page 511, all within the Public Records of Duval County, Florida.

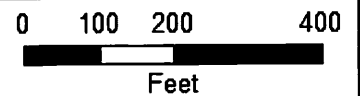
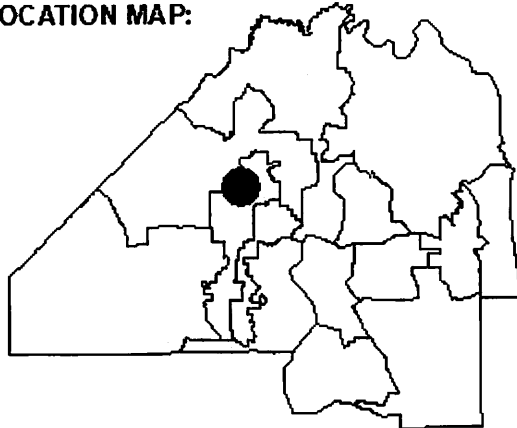


REQUEST SOUGHT:

FROM: RR-ACRE

TO: IL

LOCATION MAP:



COUNCIL DISTRICT:

10

TRACKING NUMBER

T-2022-4159

**EXHIBIT 2
PAGE 1 OF 1**