



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

Planning and Development Department  
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February 22, 2024

The Honorable Ronald B. Salem, Pharm. D., 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.: 2024-60**

Dear Honorable Council President Salem, 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. CM Pittman voiced concerns about the architectural style and the applicant agreed to meet with her when those were available.

Planning Commission Vote: **6-0**

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

Ali Marar

Absent

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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**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**  
**APPLICATION FOR REZONING ORDINANCE 2024-0060**

**FEBRYARY 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 **2024-0060**.

***Location:*** 2228 43<sup>rd</sup> Street West, 5230 Avenue C

***Real Estate Number:*** 086380-0000, 029917-0050

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

***Proposed Zoning District:*** Residential Medium Density-A (RMD-A)

***Current Land Use Category:*** Medium Density Residential (MDR)

***Planning District:*** District 5 — Northwest

***Council District:*** District 10

***Applicant/Owner:*** Doremus Coffee  
65442 Crested Heron Court  
Yulee, FL 32097

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2024-0060** seeks to rezone 0.32± acres of two subject properties from Residential Low Density-60 (RLD-60) to Residential Medium Density-A (RMD-A). The properties to the west, on the western side of Paris Avenue, are zoned Residential Medium Density-A (RMD-A). The rezoning request is being sought in order to develop the property with four cottages. The property is currently undeveloped.

Through Ordinance #2023-0347, cottages were recently approved for the Commercial, Residential and Office (CRO) and Residential Medium Density (RMD) zoning districts. Cottages are a new housing type that are a permitted use within the CRO and RMD zoning districts that allow for smaller lot sizes with a minimum width of 25 feet and a minimum area of 1,500 square feet. Additionally, the maximum lot coverage allowed is 70 percent with minimum yard requirements of 20 feet in the front yard – unless parking is provided in the side yard, then five feet, three feet on the side yard, and ten feet in the rear yard.

## 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 subject site is 0.32 of an acre and is located along the south side of West 43rd Street, between Paris Avenue and Avenue C, all unclassified roadways. The site is also located in Council District 10, Planning District 5, and the Urban Priority Development Area.

The applicant is proposing a rezoning from Residential Low Density-60 (RLD-60) to Residential Medium Density-A (RMD-A) to allow for the development of cottage dwelling units. The current land use of the site is Medium Density Residential (MDR).

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and can serve as transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. The maximum gross density in the Urban Priority Area shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre. In the absence of the availability of centralized potable water and/or wastewater, the maximum gross density of development permitted in this category shall be the same as allowed in Low Density Residential (LDR) without such services.

The proposed rezoning to RMD-A is consistent with the MDR land use category.

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

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

**Future Land Use Element:****Goal 1**

To ensure that the character and location of land uses optimize the combined potentials for economic benefit, 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 subject properties are located within a neighborhood that is developed with single family dwellings. The addition of dwellings on the properties will service the area, while minimizing the health, safety, and welfare of the community.*

**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.

*While the proposed rezoning will bring more dwellings into the area, it will not lead to urban sprawl as the area is already fairly developed. The properties would provide more units and better service the community within the 45<sup>th</sup> and Moncrief NAP.*

**Objective 1.6**

The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

*The proposed rezoning to RMD-A would allow for residential infill on traditionally underutilized residential parcels and therefore will provide housing opportunities to City residents.*

**Brownfield Study Area**

This site is located within a Brownfields Study Area designated by Resolution 2011-383-A, and as defined in Section 376.79(5), F.S. Since the property is located within a Brownfields Study Area, the owner may request that the property be designated as a Brownfield Site. Not all properties located within the Brownfield Study Area are contaminated. A Brownfield Site is property where the expansion, redevelopment, or reuse of the property may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. Tax credits may be available for properties designated as a Brownfield Site.

**45<sup>th</sup> & Moncrief Neighborhood Action Plan (NAP) (June 2004)**

The 45th & Moncrief NAP provides a framework for revitalization for the area. According to the NAP, there is a significant amount of vacant land in the Study Area that could be developed to increase single family homes in the area and to increase recreational

opportunities for the residents. While the subject site is not specifically addressed in the NAP, a major goal of the Plan is to promote home ownership and stable housing conditions and to provide housing to attract a mix of income levels. The subject rezoning from RLD-60 to RMD-A is consistent with the intent of the NAP.

**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 RMD-A to permit for the development of four cottages.

### **SURROUNDING LAND USE AND ZONING**

The subject properties are located along 43<sup>rd</sup> Street West and Avenue C, between Paris Road and Avenue C. Moreover, this segment is developed almost exclusively with single-family dwellings. Nonetheless, adjacent land uses and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	MDR	RLD-60	Single-Family Dwellings
East	MDR	RLD-60	Single-Family Dwellings
South	MDR	RLD-60	Single-Family Dwellings
West	MDR	RMD-A	Single-Family Dwellings

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

### **SUPPLEMENTARY INFORMATION**

The applicant provided pictures on **February 9<sup>th</sup>, 2024**, that the signs were re-posted after being stolen.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2024-0060** be **APPROVED**.



**Aerial view of the subject site and parcel, facing north.**



**View of subject property at the corner of Paris Avenue and 43<sup>rd</sup> Street West.**

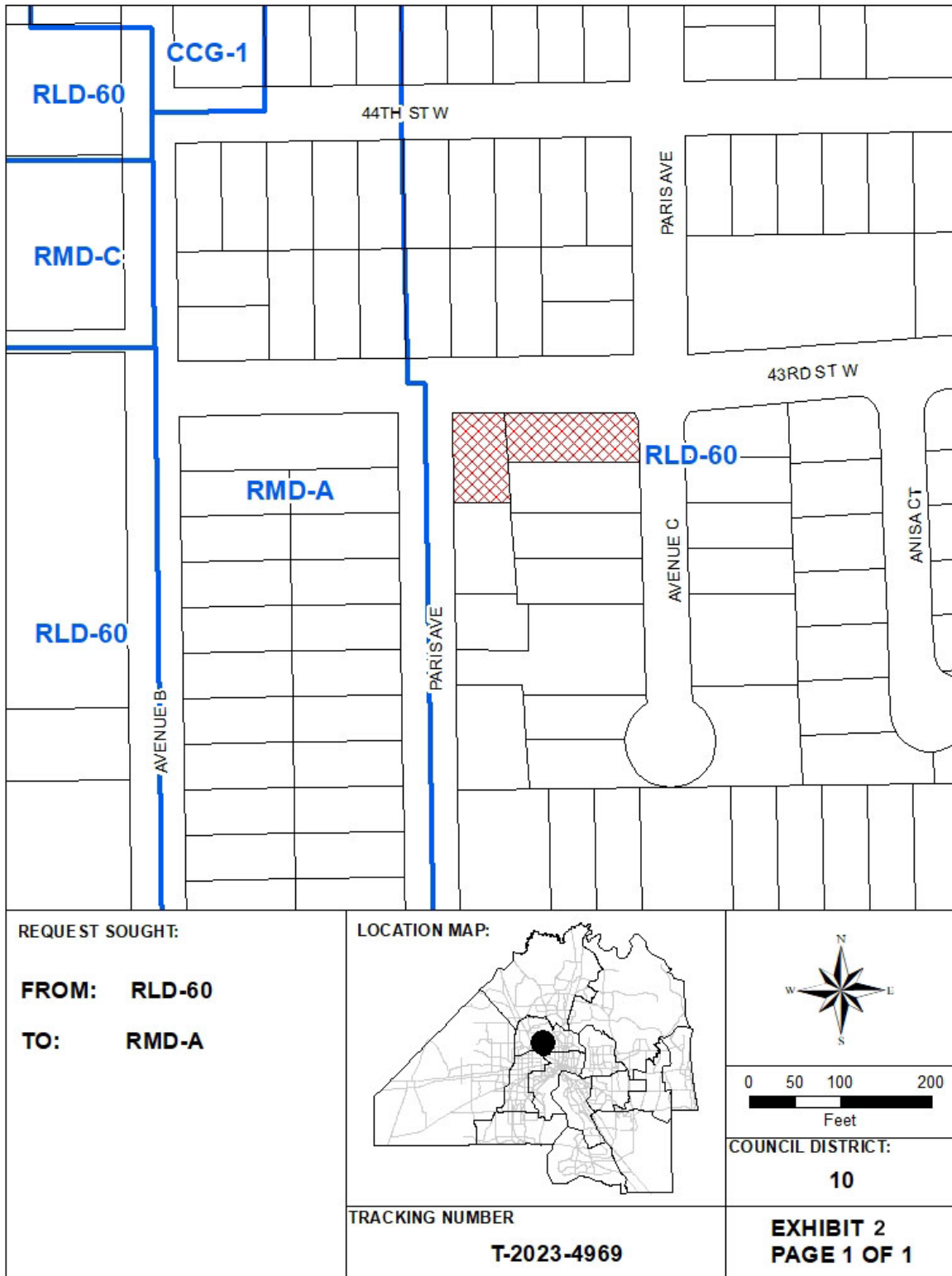




**View of subject property along 43<sup>rd</sup> Street West.**



**View of subject property near the corner of 43<sup>rd</sup> Street West and Avenue C.**



Legal Map