

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

May 19, 2022

The Honorable Samuel Newby, President
The Honorable Rory Diamond, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2022-304**

Dear Honorable Council President Newby, Honorable Council Member and LUZ Chairperson Diamond 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**

Planning Commission Commentary: There were no speakers in opposition. The majority of the Commissioners felt the lot was unsuitable for industrial uses and the adjacent property owners were not present to object. There was concern that approving the rezoning will negatively affect the industrial rights of the adjacent owners.

Planning Commission Vote: 7-1

David Hacker, Chair Aye

Alex Moldovan, Vice Chair Aye

Ian Brown, Secretary Aye

Marshall Adkison Nay

Daniel Blanchard Aye

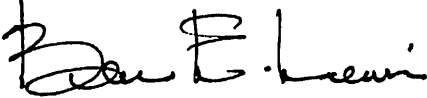
Jordan Elsbury Aye

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 written in a cursive style with a large initial "B".

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 2022-0304

MAY 19, 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 **2022-0304**.

Location: 0 Florence Street and 0 Florence Street; between Phyllis Street and Interstate 10

Real Estate Number: portions of 063779 0000 and 063782 0000

Current Zoning District: Industrial Light (IL)

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

Current Land Use Category: Light Industrial (LI)

Proposed Land Use: Medium Density Residential (MDR)

Planning District: District 5 – Northwest

Applicant: Taylor Mejia
The Southern Group
208 Laura Street N., Suite 710
Jacksonville, Florida 32202

Applicant: Hoose Homes and Investments
Alex Sifakis
7563 Philips Highway, Suite 208
Jacksonville, Florida 32256

BCEL 10D
Adam Eiseman
7563 Philips Highway, Suite 208
Jacksonville, Florida 32256

Staff Recommendation: DENY

GENERAL INFORMATION

Application for Rezoning Ordinance **2022-0304** seeks to rezone 0.16± acres of land from Industrial Light (IL) to Residential Medium Density-A (RMD-A). The properties are located on the west side of Florence Street, north of Phyllis Street. The properties have a split zoning and land use.

The eastern 3/4 of the properties are located in the Industrial Light (IL) Zoning District and the Light Industrial (LI) Land Use designation. The western 1/4 of the properties are in the Residential Medium Density-A (RMD-A) Zoning District and the Medium Density Residential (MDR) land use category. The properties are located within the Urban Priority Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought in order to allow the property to be developed with single-family homes. There are currently no other similar residential properties fronting Florence Street north of Roselle Street, a block to the south of Phyllis Street.

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?

No. When applying the criteria of consistency with the 2030 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 proposed residential development is consistent with the land use category does not ensure overall consistency with the 2030 Comprehensive Plan. The transition, compatibility, and intensity of uses are an important consideration to the welfare and sustainability of an area. This is especially important to a predominately industrial area where new multi-family residential being introduced. Therefore, while the proposed uses are consistent with the category description of the functional land use category, the intensity and scale of the project is not consistent with the intent of the 2030 Comprehensive Plan.

The applicant proposes a future land use map amendment from Light Industrial (LI) to Medium Density Residential (MDR) on portions of both properties. The companion LUA is pending concurrently with this rezoning application pursuant to Ordinance 2022-303. The 0.05 and 0.07 of an acre subject sites are currently vacant. The eastern portion of both sites, approximately three quarters of the total of each parcel, is in the LI land use category. The proposed change to MDR would affect the land use of the portion of the parcels fronting Florence Street and unifying the parcel under one land use category. There are four additional parcels that front Florence Street and that abut the amendment sites. These four parcels well remain in the LI Land Use category and IL Zoning designation along the Florence Street frontage.

The properties fronting the Florence Street corridor are in the LI land use category with some undeveloped and some active light industrial uses. The properties abutting the subject sites to the north, south and east are in the LI land use category. The properties directly behind the subject site to the west are in the MDR land use category.

This part of Florence Street, a local roadway, includes properties in the LI land use category that are developed with industrial uses. The change in land use to MDR would create a parcel with a residential designation fronting this street of all industrial land uses.

Light Industrial (LI) is a category, which provides for the location of industrial uses, which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemicals and wastes. According to the category description of the FLUE, the Medium Density Residential (MDR) land use category in the Urban Area is intended to provide compact medium to high density mixed use development. 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.

Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code.

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

No. This proposed rezoning is inconsistent 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):

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.

FLUE 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 the proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

FLUE 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.

FLUE 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.

FLUE 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.

FLUE Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

FLUE 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.

FLUE Objective 3.1 Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

FLUE Objective 3.2.19 The City shall prohibit expansion or new development of non-industrially designated land uses in industrially designated areas unless the use is determined to be an accessory and complementary use to the industrial area, unless otherwise provided for herein. Amend the Land Development Regulations to include standards and/or criteria for location and intensity of these types of non-industrial uses.

Development Area:

Urban Area (UA): The UA is the second tier Development Area and generally corresponds with the densely developed portions of the City that have been in residential or employment generating uses prior to consolidation. It also includes major corridors which connect the other Development Areas. Similar to the UPA, the intent of the UA is to encourage revitalization and the use of existing infrastructure through redevelopment and infill development, but at moderate urban densities which are transit friendly. Also similar to the UPA, the UA is intended to support multi-modal transportation and the reduction of per capita greenhouse gas emissions and vehicle miles traveled. Development is encouraged to employ urban development characteristics as further described in each land use plan category.

According to the category description of the FLUE, the Medium Density Residential (MDR) land use category in the Urban Area is intended to provide compact medium to high density mixed use development. 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 subject sites are in the Urban Development Area surrounded to the north, south and east by light industrial uses and supplied with full urban services. While the properties in the Light Industrial land use category on the west side of the road fronting Florence Street are undeveloped, the properties across the street abutting the east side of Florence Street include developed and active light industrial industries with warehousing and storage directly across the street from the subject site and light manufacturing of metals and plastic just north. Additionally, while properties in the MDR land use category are to the west of the subject site, several of those properties are undeveloped. **Given the surrounding light industrial land uses, the change to a residential land use category and zoning designation may pose an incompatible land use/zoning contributing towards threats to public health, safety and welfare. The existing industrial land use pattern on Florence Street will be negatively affected with the proposed amendment to MDR and rezoning to RMD-A. For these reasons, the proposed land use amendment and rezoning are inconsistent with FLUE Goals 1 and 3; Objectives 1.1 and 3.1; and Policy 1.1.22.**

The proposed amendment to MDR for the 2 subject sites would have a negligible impact on the need for residential land uses. The proposed MDR land use and RMD-A zoning change would negatively affect the balance of uses and the existing development pattern of the area as previously described. Therefore, the amendment provides inconsistencies with FLUE Policies 1.1.5 and 1.1.21.

The proposed rezoning does not hinder the private property rights of the owner of record; has no impact on the right of the property owner to possess or control his or her interest in the property; maintains the owner's ability to use, maintain, develop and improve the property; protects the owner's right to privacy and security; and maintains the ability of the property owner to dispose of the property at their discretion. Therefore, the amendment is consistent with Property Rights Element (PRE) Goal 1, Objective 1.1 and Policies 1.1.1 and 1.1.2.

The request for rezoning is to extend the residential zoning designation on these lots to allow for single-family residential development. The existing industrial land use pattern on Florence Street will be negatively affected with the proposed amendment to MDR and rezoning to RMD-A.

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

Yes. Given the surrounding light industrial land uses, the proposed change to a residential land use category and zoning designation may pose an incompatible land use/zoning contributing towards threats to public health, safety and welfare. The existing industrial land use pattern on Florence Street will be negatively affected with the proposed amendment to MDR and rezoning to RMD-A.

SURROUNDING LAND USE AND ZONING

The subject property is located on the west side of Florence Street, between Phyllis Street and Interstate 10. This portion of Florence Street is developed with a mix of industrial uses. There are no other single-family dwellings along this roadway corridor. The properties abutting the subject sites to the north, south and east are in the LI land use category and IL Zoning District. The properties directly behind the subject site to the west are in the MDR land use category and RMD-A Zoning District. This part of Florence Street, a local roadway, includes properties in the LI land use category that are developed with industrial uses. The change in land use to MDR would create a parcel with a residential designation fronting this street of all industrial land 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/MDR	IL/RMD-A	Vacant property
East	LI	IL	Industrial/warehouse use
South	LI/MDR	/IL/RMD-A	Vacant property
West	MDR	CO	Vacant residential

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



Aerial view of the subject sites, facing north.



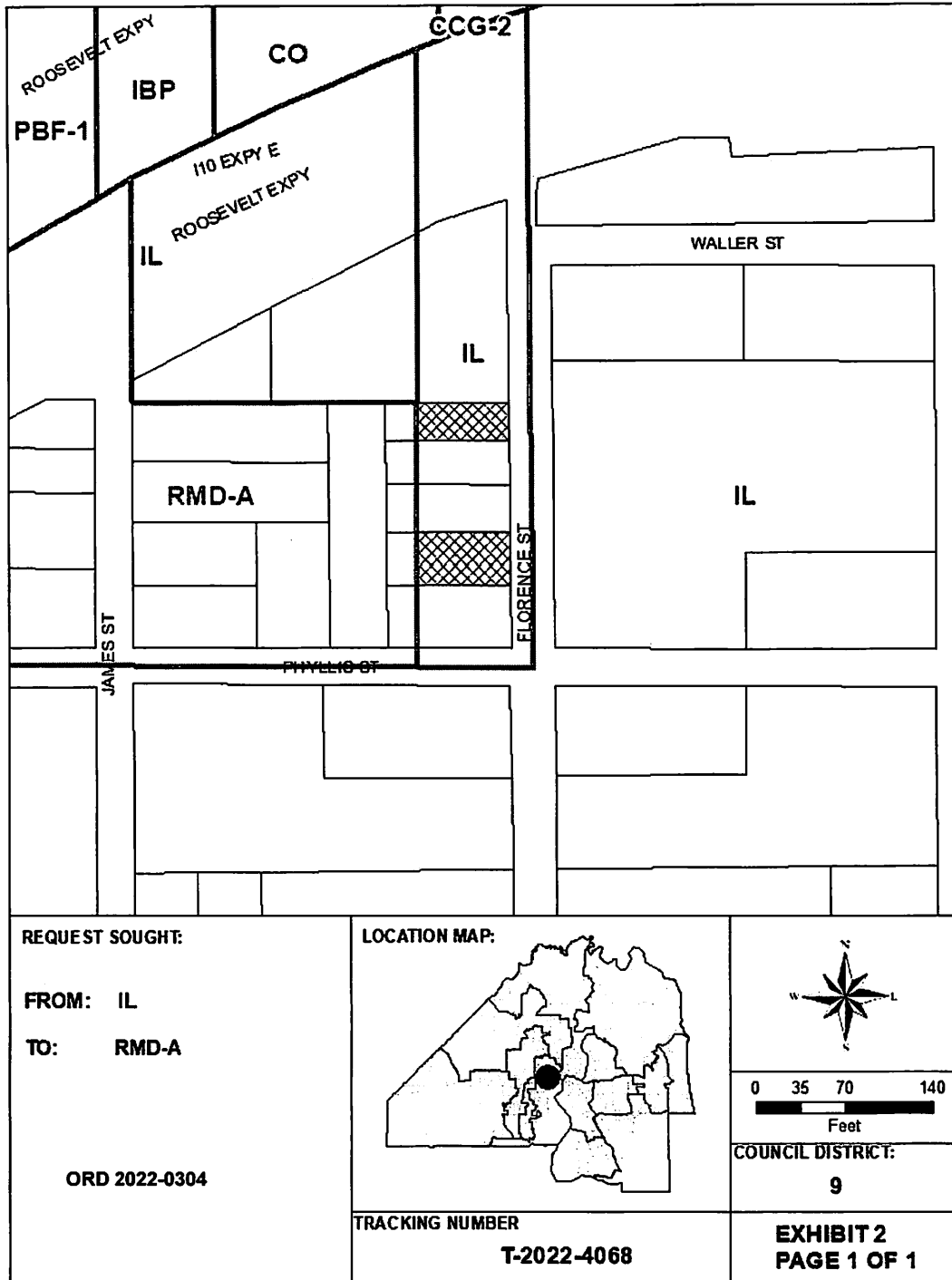
View of the subject property ahead on the left facing north from the Phyllis St and Florence St intersection.



View of the subject property facing west from Florence Street.



View of the subject property on the right facing south along Florence Street.



Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0304 **Staff Sign-Off/Date** BEL / 04/08/2022

Filing Date 04/08/2022 **Number of Signs to Post** 2

Clearing Dates:

1st City Council 05/24/2022 **Planning Commission** 05/19/2022

Land Use & Zoning 06/07/2022 **2nd City Council** 06/14/2022

Neighborhood Association MURRAY HILL PRESERVATION ASSOC.

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 4068

Application Status FILED COMPLETE

Date Started 02/08/2022

Date Submitted 02/09/2022

General Information On Applicant

Last Name	First Name	Middle Name
MEJIA	TAYLOR	

Company Name

THE SOUTHERN GROUP

Mailing Address

208 N LAURA ST SUITE 710

City	State	Zip Code
JACKSONVILLE	FL	32202

Phone	Fax	Email
9043495954	904	MEJIA@THESOUTHERNGROUP.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
SIFAKIS	ALEX	

Company/Trust Name

HOOSE HOMES AND INVESTMENTS

Mailing Address

7563 PHILIPS HIGHWAY SUITE 208

City	State	Zip Code
JACKSONVILLE	FL	32256

Phone	Fax	Email

Last Name	First Name	Middle Name
EISEMAN	ADAM	

Company/Trust Name

BCEL 10D

Mailing Address

7563 PHILIPS HIGHWAY SUITE 208

City	State	Zip Code
JACKSONVILLE	FL	32256

Phone	Fax	Email

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 063782 0000	9	5	IL,RMD-A	RMD-A
Map 063779 0000	9	5	IL,RMD-A	RMD-A

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

Existing Land Use Category

LI

Land Use Category Proposed?

If Yes, State Land Use Application #

5669

Total Land Area (Nearest 1/100th of an Acre) 0.16

Justification For Rezoning Application

BOTH PARCELS ARE ZONED PARTLY RMD-A AND PARTLY IL. THE LAND USE/ZONING WAS DRAWN ALONG THE LINE OF A CLOSED RIGHT-OF-WAY THAT DOESN'T APPEAR IN DIGITAL GIS, CREATING TWO DIFFERENT ZONING CATEGORIES. THE APPLICANT SEEKS TO REZONE BOTH PROPERTIES TO RMD-A TO BUILD A SINGLE FAMILY HOME ON EACH PARCEL.

Location Of Property

General Location

0 FLORENCE STREET

House #	Street Name, Type and Direction	Zip Code
0	FLORENCE ST	32205

Between Streets

WALLER ST and PHYLLIS ST

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
0.16 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee
31 Notifications @ \$7.00 /each: \$217.00
- 4) Total Rezoning Application Cost: \$2,227.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

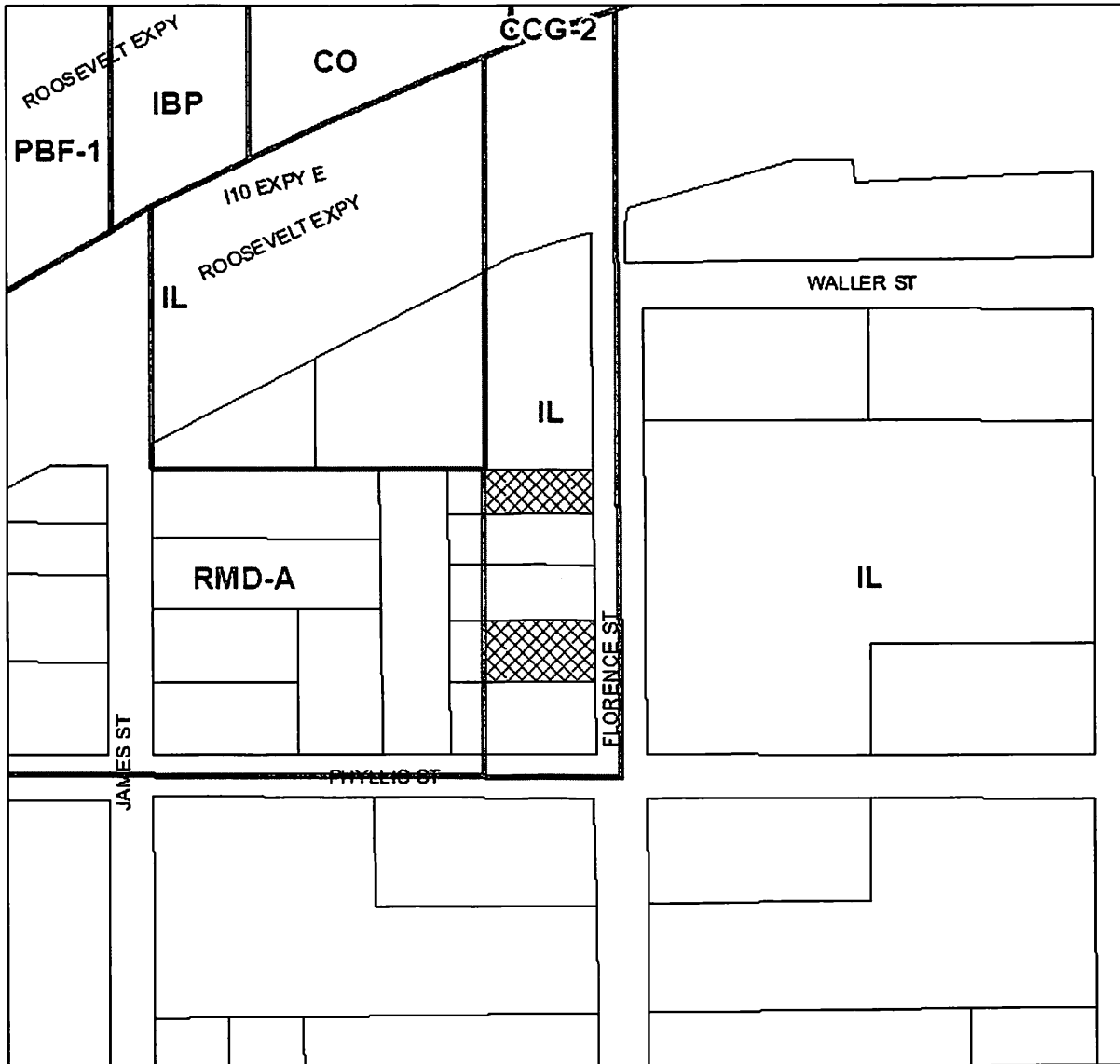
Legal Description –
0 Florence Street and 0 Florence St
1/10/2022

PARCEL # 063779 0000

A PART OF LOT 2, BLOCK C, WEST RIVERSIDE, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 42, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 26 EAST, OF SAID COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF PHYLLIS STREET AND THE WESTERLY RIGHT-OF-WAY LINE OF FLORENCE STREET; THENCE NORTH 00 DEGREES 34'39" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY, A DISTANCE OF 164.36 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 25'29" WEST, DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 99.94 FEET; THENCE NORTH 00 DEGREES 30'17" WEST, A DISTANCE OF 30.00 FEET; THENCE NORTH 89 DEGREES 25'29" EAST, A DISTANCE OF 99.99 FEET TO A POINT ON AFORESAID WESTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 00 DEGREES 34'39" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.
"LESS AND EXCEPT THE WEST 25 FEET"

PARCEL # 063782 0000

PART OF LOTS 3 AND 4, BLOCK C, GREENLEY'S WEST RIVERSIDE SUBDIVISION, ACCORDING TO MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 42, OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON ON THE WEST LINE OF FLORENCE STREET, 50 NORTH OF THE SOUTHEAST CORNER OF BLOCK C; THENCE NORTH ALONG THE WEST LINE OF FLORENCE STREET 41 FEET TO AN IRON THENCE WEST PARALLEL TO PHYLLIS STREET, 100 FEET TO AN IRON, THENCE SOUTH SOUTH PARALLEL TO FLORENCE STREET, 41 FEET TO AN IRON; THENCE EAST 100 FEET TO THE POINT BEGINNING.

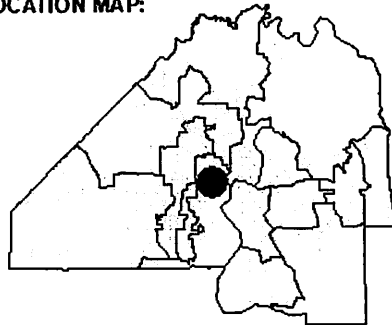


REQUEST SOUGHT:

FROM: IL

TO: RMD-A

LOCATION MAP:



COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2022-4068

**EXHIBIT 2
PAGE 1 OF 1**