

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR**

**APPLICATION FOR REZONING ORDINANCE 2019-0429**

**JULY 18, 2019**

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 **2019-0429**.

**Location:** 4343 Spring Grove Avenue; East of Spring Grove Avenue and north of 33<sup>rd</sup> Street West

**Real Estate Number:** 029876 0000

**Current Zoning District:** Public Buildings and Facilities-2 (PBF-2)

**Proposed Zoning District:** Industrial light (IL)

**Current Land Use Category:** Light Industrial (LI)

**Planning District:** District 1 – Urban Core

**Applicant/Owner:** Koce Gjorgjiev  
5315 Chestnut Lake Drive  
Jacksonville, Florida 32258

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2019-0429** seeks to rezone approximately 2.90± acres of land from Public Buildings and Facilities-2 (PBF-2) to the Industrial Light (IL) Zoning District. The property is located in the Light Industrial (LI) land use category within the Urban 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 used for private industrial activity. The property is currently developed with a 1,500 square foot office building and the rest is vacant open land.

This property was rezoned in 2016 per Ordinance 2016-0108 from Industrial Light (IL) to Public Building and Facilities – 2 (PBF-2). The proposed use was a Ministry and Community Center. The property has no road frontage, but obtained a waiver of roadway frontage (Ord. 2008-0803), and has a paved access drive located on City of Jacksonville owned land. The property is addressed off Spring Grove Avenue, but is accessed from 33rd Street West. The City owned property is part of a larger parcel that includes a large storm water system. The site is located within the Ash Remediation Boundary for the Brown's Dump site, but no remediation was required, based on the

soil analysis provided by the City's contractor. The site is located within the "Area of Situational Compatibility" as described in Future Land Use Element of the 2030 Comprehensive Plan. "These areas are presumed to be appropriate for land use map amendments to industrial categories..." The site borders a residential area, but is separated from the single family homes by a large drainage creek.

### **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. The Planning and Development Department finds that the subject property is located in the Light Industrial (LI) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The LI land use category is generally defined as 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. Density, location and mix of uses shall be pursuant to the Development Areas as set forth in the 2030 Comprehensive Plan. The proposed PBF-2 category and the proposed community center use will be compatible with the surrounding LDR, MDR, and LI land use categories.

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?***

Yes. The proposed amendment is consistent with the following policies of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

Future Land Use Element Policy 3.2.2 states that the "City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in

lieu of permitting new areas to commercialize.” Additionally, FLUE Objective 3.2 calls for the City to “continue to promote and sustain the viability of existing and emerging commercial areas in order to achieve and integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City’s residential areas.”

Objective 6.3 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. This application for rezoning allow for the development and use of a bypassed parcel of industrial land to be developed to serve the community, and surrounding residential areas.

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

No. The proposed change in Zoning District is consistent with the Light Industrial (LI) future land use category as defined in the Future Land Use Element of the 2030 Comprehensive Plan. A Waiver of Road Frontage (2008-0803) was approved in 2008 to address the lack of road frontage. If approved as recommended by the Planning and Development Department, the subject property will be rezoned from PBF-2 to IL in order to permit a private industrial use or activity.

**SURROUNDING LAND USE AND ZONING**

The subject property has access via Spring Grove Avenue. Surrounding properties in the area range from Industrial uses and residential properties. Typical single-family subdivisions are nearby. The proposed rezoning to IL would allow for the property to revert back to its initial IL zoning designation with an adequate buffer between it and the residential uses in the area. 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	LI	IL	CSX rail line and single-family homes beyond
East	LI	IL	Vacant undeveloped land
South	LI	IL	Moncrief Creek/COJ drainage easement and single-family homes beyond
West	LI	IL	Vacant undeveloped land

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

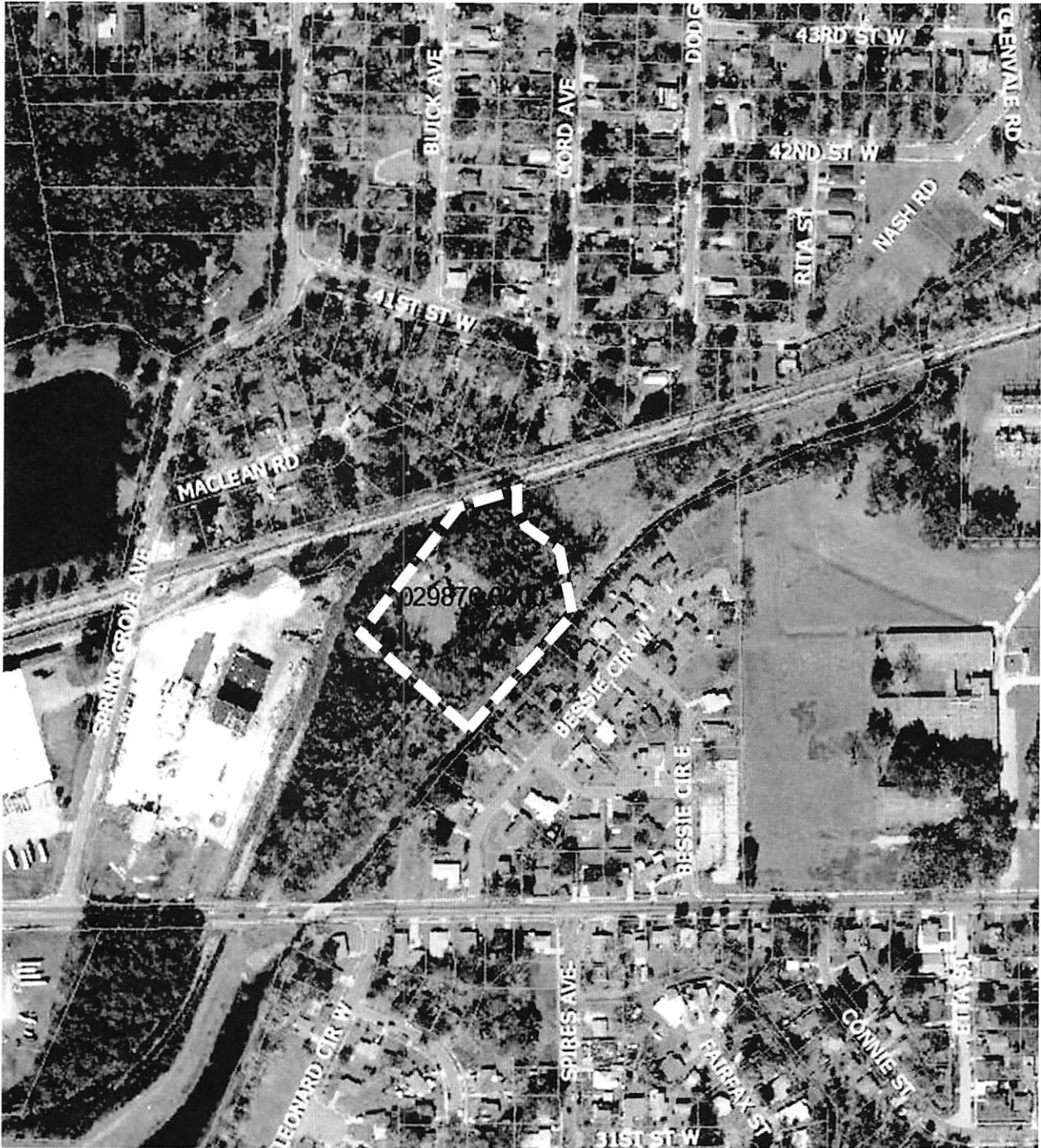
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on July 9, 2019 by the Planning and Development Department, 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 Ordinance 2019-0429 be **APPROVED**.



Aerial



**Access driveway for the subject site facing northeast from 33<sup>rd</sup> St W**



**The east side of the subject property adjacent to Moncrief Creek**



**Adjacent industrial land and rail line to the west of the subject site**



**Adjacent industrial land and rail line to the south  
of the subject site across 33<sup>rd</sup> St. W.**

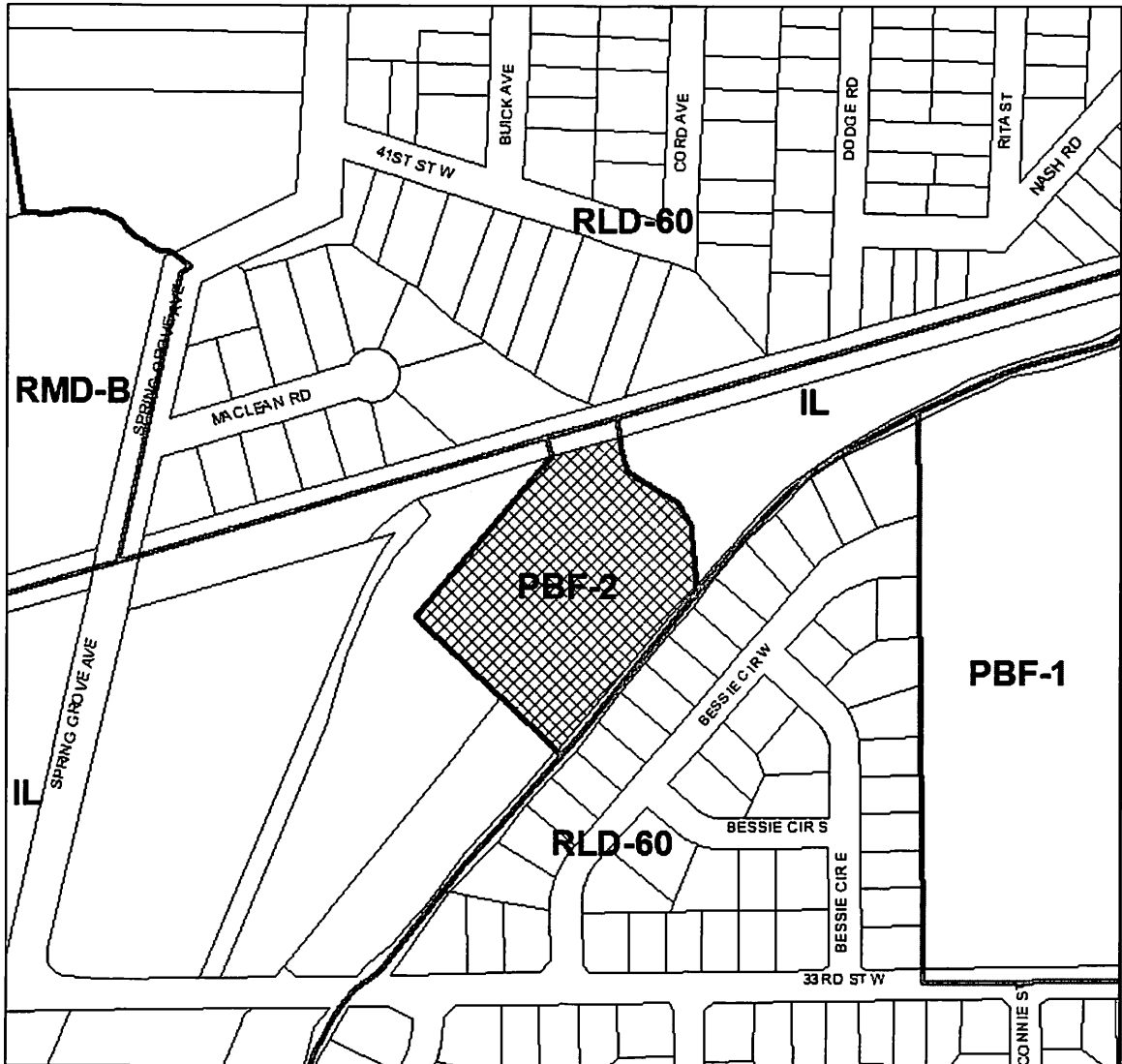


**Facing west along 33<sup>rd</sup> St. W.**



**Facing east along 33<sup>rd</sup> St. W. with the subject site on the right**





<p><b>REQUEST SOUGHT:</b></p> <p><b>FROM:</b> PBF-2</p> <p><b>TO:</b> IL</p> <p><b>ORD 2019-0429</b></p>	<p><b>LOCATION MAP:</b></p> <p><b>TRACKING NUMBER</b>  <b>T-2019-2302</b></p>	<p><b>COUNCIL DISTRICT:</b>  <b>8</b></p> <p><b>EXHIBIT 2</b>  <b>PAGE 1 OF 1</b></p>
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### Application For Rezoning To Conventional Zoning District

#### Planning and Development Department Info

**Ordinance #** 2019-0429 **Staff Sign-Off/Date** AH / 05/08/2019

**Filing Date** 06/11/2019 **Number of Signs to Post** 1

**Hearing Dates:**

**1st City Council** 07/23/2019 **Planning Commission** 07/18/2019

**Land Use & Zoning** 08/06/2019 **2nd City Council** N/A

**Neighborhood Association** ROYAL TERRACE COMMUNITY, INC.

**Neighborhood Action Plan/Corridor Study** 29TH AND CHASE

#### Application Info

**Tracking #** 2302

**Application Status** PENDING

**Date Started** 03/14/2019

**Date Submitted** 03/15/2019

#### General Information On Applicant

<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
GJORGJIEV	KOCE	

**Company Name**

**Mailing Address**

<b>City</b>	<b>State</b>	<b>Zip Code</b>
JACKSONVILLE	FL	32258

<b>Phone</b>	<b>Fax</b>	<b>Email</b>
3076907808	904	KOKI_MAKEDON@YAHOO.COM

#### General Information On Owner(s)

Check to fill first Owner with Applicant Info

<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>
GJORGJIEV	KOCE	

**Company/Trust Name**

**Mailing Address**

<b>City</b>	<b>State</b>	<b>Zip Code</b>
JACKSONVILLE	FL	32258

<b>Phone</b>	<b>Fax</b>	<b>Email</b>
3076907808	904	KOKI_MAKEDON@YAHOO.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	029876 0000	8	1	PBF-2	IL

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 #

Total Land Area (Nearest 1/100th of an Acre) 2.90

**Justification For Rezoning Application**

THIS PROPERTY HAS BEEN LIGHT INDUSTRIAL FOR QUITE SOME TIME, UNTIL CHURCH BOUGHT IT 3 YEARS AGO. THEY TURNED IT INTO PBF-2 INSTITUTIONAL, WANTING TO BUILD A CHURCH ON THE LAND, BUT THAT WAS UNSUCCESSFUL. I PURCHASED THE PROPERTY YEAR AND HALF AGO. I WOULD LIKE TO REZONE IT BACK TO LIGHT INDUSTRIAL. I WANTED TO BE ABLE TO PARK 4-5 SEMI TRUCKS. THEY ARE ON THE ROAD MOST OF THE TIME, BUT EVERY 2-3 WEEKS, WHEN THEY COME BACK, I WOULD LIKE TO HAVE THEM PARK AT THE YARD WHILE IN TOWN. THANK YOU

**Location Of Property****General Location**

INTERSECTION OF W 33RD STREET AND SPRING GROVE AVE

House #	Street Name, Type and Direction	Zip Code
4343	SPRING GROVE AVE	32209

**Between Streets**

W 33RD STREET and SPRING GROVE AVENUE

**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  
2.90 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee  
59 Notifications @ \$7.00 /each: \$413.00
- 4) Total Rezoning Application Cost: \$2,443.00

**NOTE: Advertising Costs To Be Billed to Owner/Agent**

**Legal Description for**  
**4343 SPRING GROVE AVE,**  
**JACKSONVILLE, FL, 32209**

**RE# 029876-0000**

**Tax District: USD1**

**Property Use: 1700 Office 1-2 Story**

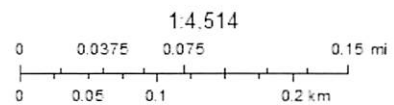
**Use Description: Institutional – PB-2**

**Legal Description: 39-1S-26E 2.97 / PT SIBBALD GRANT RECD**  
**O/R 18143-1310**

# Duval Map



April 17, 2019





21 West Church Street  
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Michael Baker  
4835 BEVERLY CIRCLE  
JACKSONVILLE, FL, 32210

April 23, 2019

Project Name: 4343 Spring Grove Ave.  
Availability#: 2009-0660

Attn: Michael Baker,

Thank you for your inquiry regarding the availability of electric, potable water, sanitary sewer and reclaimed water (WS&R) service. The eight digit availability number referenced in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents. This availability letter will expire one year from the date above.

**Point of Connection:**

A summary of connection points for WS&R services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA strongly recommends field verification of all POCs prior to any construction to ensure connection availability. If this availability request is for a sewer lateral, prior to relying on the described POC and/or any reference drawings, the applicant shall request and pay for a JEA field locate, for a cost of \$491.00, to determine the actual location and suitability of this potential POC. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions.

**Offsite Improvements:**

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida. All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found on [jea.com](http://jea.com).

**Reservation of Capacity:**

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at [JEA.com](http://JEA.com). This document along with other important forms and submittal processes can be found at the subsequent link, JEA Stages of a Project or by following the steps below:

- ⇒ Visit [www.jea.com](http://www.jea.com)
- ↳ Select Working with JEA
- ↳ Select Stages of a Project

Sincerely,

JEA Water, Sewer Reclaim  
Availability Request Team



21 West Church Street  
Jacksonville, Florida 32202-3139

ELECTRIC

WATER

SEWER

RECLAIMED

Availability#: 2009-0660  
Request Received On: 10/1/2009  
Availability Response: 4/23/2019  
Prepared by: Roderick Jackson

**Project Information**

Name: 4343 Spring Grove Ave.  
Type: OTHER  
Requested Flow: 300 gpd  
Location: 4343 Spring Grove Ave.  
Parcel ID No.: 029876 0000  
Description: Proposed Daycare center

**Potable Water Connection**

Water Treatment Grid: NORTH GRID

Connection Point #1: This property does not abuts street or other public right of way, so therefore JEA cannot serve this site in accordance to JEA rules and regulation manual Section 3.01.5. See special conditions.

Connection Point #2: NA

Special Conditions: Section 3.01.5 - JEA shall not connect any customer that does not abut a Water/Sewer, or Reclaimed Water mains without the construction of a mainline extension.

**Sewer Connection**

Sewer Treatment Plant: BUCKMAN

Connection Point #1: This property does not abuts street or other public right of way, so therefore JEA cannot serve this site in accordance to JEA rules and regulation manual Section 3.01.5. See special conditions.

Connection Point #2: NA

Special Conditions:

**Reclaimed Water Connection**

Sewer Region/Plant: N/A

Connection Point #1:

Connection Point #2: NA

Special Conditions:

**General Comments:**