

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

December 3, 2020

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2020-691**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan 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**

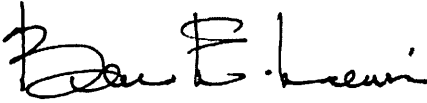
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 7-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Aye
Alex Moldovan	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 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
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 2020-0691****DECEMBER 3, 2020**

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 **2020-0691**.

Location: 4541 Shirley Avenue
Between Blanding Boulevard and Hamilton Street

Real Estate Number: 068026-1000

Current Zoning District: Planned Unit Development (PUD 1992-0014)

Proposed Zoning District: Commercial Community/General-1 (CCG-1)

Current Land Use Category: Community/General Commercial (CGC)

Planning District: District 4—Southwest

Applicant/Agent: Jeff Alan Thompson
Thompson Construction Company
1942 Hamilton Street
Jacksonville, Florida 32210

Owner: Kenneth R. Mitchell
Westside Christian Family Chapel, Inc.
4541-1 Shirley Avenue
Jacksonville, Florida 32210

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0691** seeks to rezone 1.075± acres of land from Planned Unit Development (PUD) to Commercial Community/General-1 (CCG-1). The request is being sought in order to permit for general commercial uses.

The need for the rezoning arises from the PUD's limitation on the maximum square footage of commercial uses. Staff also notes that prior to being rezoned to a PUD in 1992, the subject property was originally zoned as CCG-1.

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. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds the subject property to be located in the Community/General Commercial (CGC) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

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

Yes. The subject site is a portion of the River Village Shopping Center with an address at 4541 Shirley Avenue. Presently, the site serves as the Westside Chapel Church. However, access to the property is from Hamilton Street, a collector roadway according to the City's Functional Highways Classification Map. The site is located in Planning District 4, Council District 14 and in the Urban Development Area. The applicant seeks to rezone the property from PUD to CCG-1. The application site is also located in the CGC land use category as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan.

According to the Category Description of the Future Land Use Element (FLUE), Community/General Commercial (CGC) land use category in the Urban Area is intended to provide compact development in nodal and corridor development patterns, while promoting the advancement of existing commercial land uses and the use of existing infrastructure through infill development and redevelopment. The CGC land use is a mixed use category. Development that includes both residential and commercial uses supports both uses. The proposed use of retail is permitted within the CGC land use category.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed

zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element:

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.

In reference to the attached JEA Availability Letter, **2020-0816**, the proposed development shall connect to City water and sewer with an estimated flow of 8,750 gpd.

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.

The proposed rezoning directly supports the above policy by permitting for commercial development along the Blanding Boulevard and Hamilton Street corridor.

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 PUD to CCG-1 in order to permit commercial development—all while adhering to local, state, and federal regulations mentioned below:

SURROUNDING LAND USE AND ZONING

The subject property is located in the Riverside Village Shopping Center at the northwest corner of Hamilton Street and Shirley Avenue. The request to rezone back to the CCG-1 Zoning District will allow for the expansion of commercial and retail uses. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	PBF	PBF-2	Church
East	CGC	CCG-2	Commercial Offices
South	CGC	CCG-1	Commercial Offices
West	CGC	PUD 1992-0014	Commercial Retail

It is the opinion of the Planning and Development Department that the requested rezoning to CCG-1 will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 18, 2020** 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 **2020-0691** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 10/21/20

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

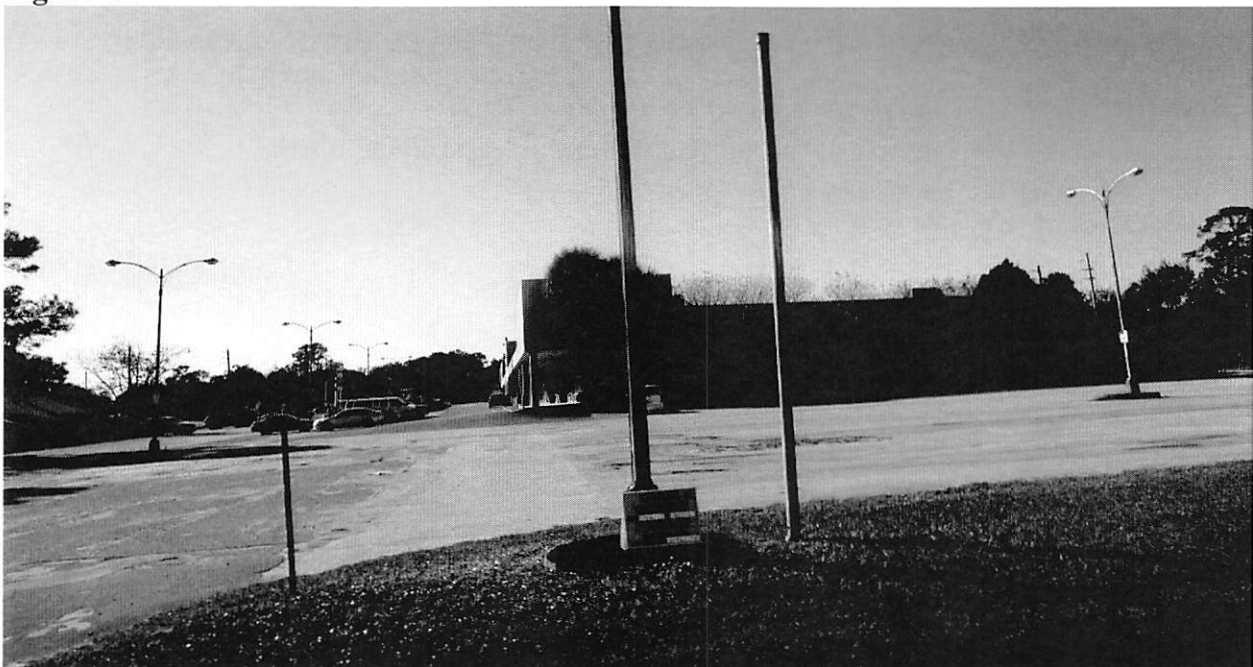
Figure B:



Source: Planning & Development Dept, 11/18/20

View of the subject property and the existing end unit, facing north.

Figure C:



Source: Planning & Development Dept, 11/18/20

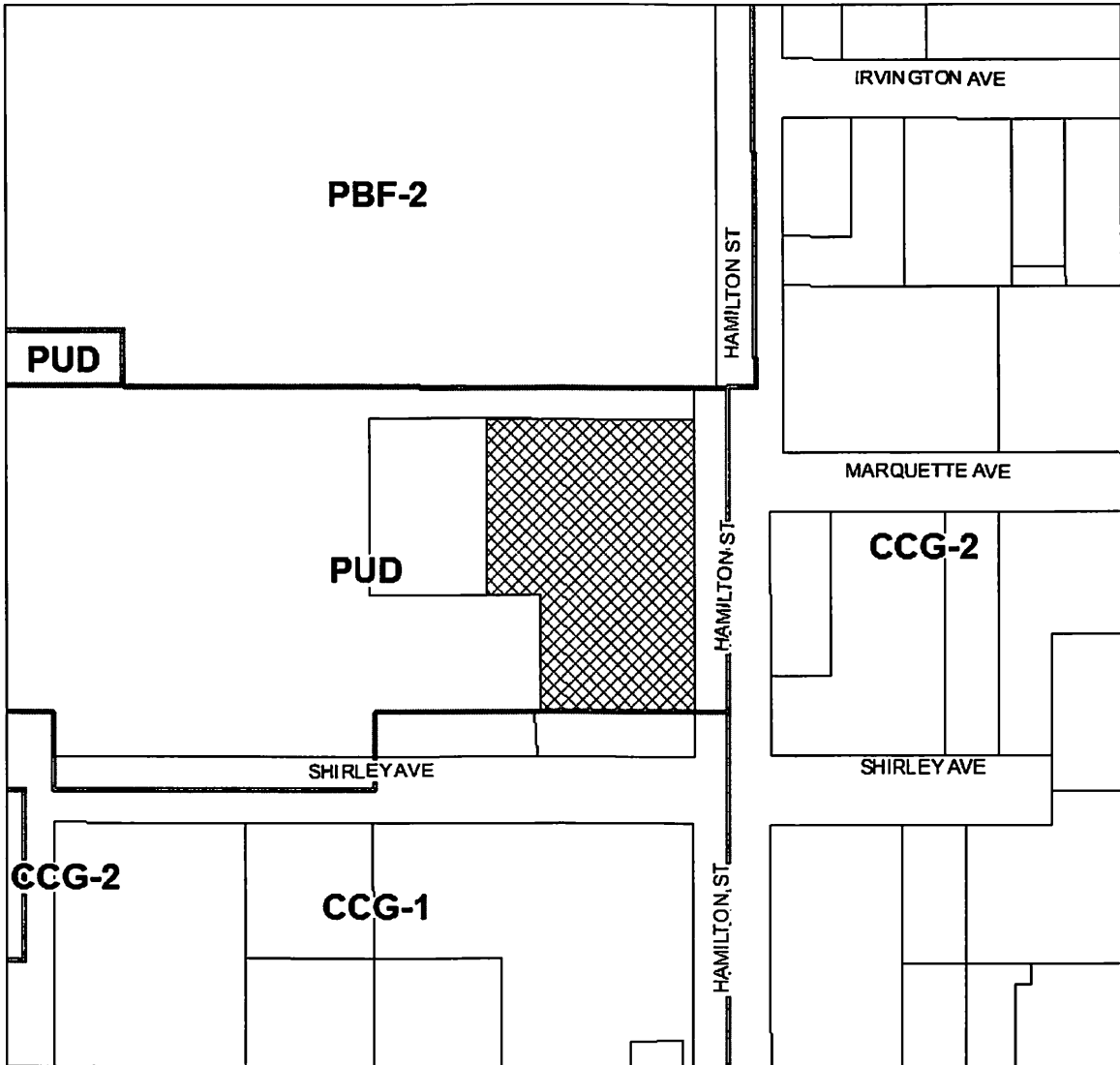
View of the subject property, facing west on Hamilton Street.

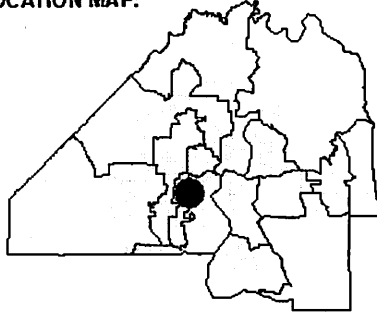
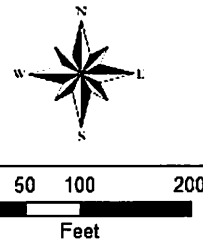
Figure D:



Source: Planning & Development Dept, 11/18/20

View of the adjoining parcel, facing north on Shirley Avenue.



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: CCG-1</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>14</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0691</p>	<p>TRACKING NUMBER</p> <p>T-2020-3165</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District**Planning and Development Department Info**

Ordinance # 2020-0691 Staff Sign-Off/Date ATW / 10/16/2020

Filing Date 11/06/2020 Number of Signs to Post 2

Hearing Dates:

1st City Council 12/08/2020 Planning Commission 12/03/2020

Land Use & Zoning 01/05/2021 2nd City Council N/A

Neighborhood Association

Neighborhood Action Plan/Corridor Study

Application Info

Tracking # 3165

Application Status FILED COMPLETE

Date Started 10/01/2020

Date Submitted 10/05/2020

General Information On Applicant

Last Name	First Name	Middle Name
THOMPSON	JEFF	ALAN

Company Name

THOMPSON CONSTRUCTION COMPANY

Mailing Address

1942 HAMILTON ST

City	State	Zip Code
JACKSONVILLE	FL	32210

Phone	Fax	Email
9049934620	9043894334	JTJTCO@AOL.COM

General Information On Owner(s) Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
MITCHELL	KENNETH	R

Company/Trust Name

WESTSIDE CHRISTIAN FAMILY CHAPEL INC

Mailing Address

4541-1 SHIRLEY AVE

City	State	Zip Code
JACKSONVILLE	FL	32210

Phone	Fax	Email
9046127060		JTJTCO@AOL.COM

Property InformationPrevious Zoning Application Filed For Site?

If Yes, State Application No(s) 1992-0014

Map	RE#	Council District	Planning District	From Zoning District(s)	To Zoning District
Map	068026 1000	14	4	PUD	CCG-1

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

Existing Land Use Category

CGC

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 1.49

Justification For Rezoning Application

ADDITIONAL COMMERCIAL/RETAIL BUILDING

Location Of Property**General Location**

RIVERSIDE VILLAGE SHOPPING CENTER

House #	Street Name, Type and Direction	Zip Code
4541	SHIRLEY AVE	32210

Between Streets

BLANDING BLVD and HAMILTON STREET

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
1.49 Acres @ \$10.00 /acre: \$20.00
- 3) Plus Notification Costs Per Addressee
24 Notifications @ \$7.00 /each: \$168.00
- 4) Total Rezoning Application Cost: \$2,188.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

Legal Description

A portion of lot 4 of a Subdivision of the Tom Richardson Estate, according to the plat recorded in Plat Book 7, page 13, as well as being the Easterly portion of the parcel described in Exhibit "A" of that deed recorded in Official Records Book 9109, Page 1456, all of the Current Public Records of Jacksonville, Duval County, Florida, and being more particularly described as follows:

For the Point of Reference, commence at the Point of intersection of the Southeasterly right of way line of Blanding Boulevard, State Road # 21 (an 80-foot right of way, as now established), with the Northerly boundary of said Lot # 4 of the Subdivision of the Tom Richardson Estate. And run South

89 degrees 44'03" East, along said Northerly Boundary, a distance of 851.75 feet to a point on the Westerly right of way of Hamilton Street; run thence, South 00 degrees 03'03" East, along said right of way line, a distance of 30.00 feet, to the Point of Beginning.

From the Point of Beginning thus described, continue South 00 degrees 03'03" East, along said Westerly right of way line, a distance of 271.38 feet, to a point on the Southerly boundary of said lot 4, said point being also the Northeasterly corner of Lot 20, Block 42-1/2, Replat of Lakeshore Park; run thence, North 89 degrees 58'00" West, along said Southerly boundary of Lot 4, a distance of 142.72 feet, to a point; thence, departing said Southerly line, run North 89 degrees 56'48" West, a distance of 49.8', more or less. To an intersection with the Easterly building line of an existing chapel; run, thence,

North 00 degrees 07'09" East, more or less along the Easterly edge of said building, a distance of 163.66 feet, to a point; run thence South 89 degrees 44'03" East, a distance of 191.84' more or less to the Point of Beginning.

Subject parcel, thus described, contains an area of 46,833 Square Feet, or 1.075 Acres, more or less.

October 21, 2020

Exhibit 1

Page 1 of 1

PBF-2

PUD

PUD

IRVINGTON AVE

MARQUETTE AVE

CCG-2

SHIRLEY AVE

SHIRLEY AVE

CCG-2

CCG-1

HAMILTON ST

HAMILTON ST

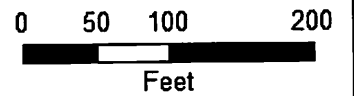
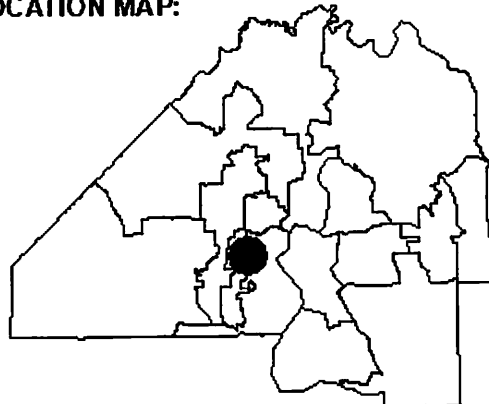
HAMILTON ST

REQUEST SOUGHT:

FROM: PUD

TO: CCG-1

LOCATION MAP:



COUNCIL DISTRICT:

14

TRACKING NUMBER

T-2020-3165

**EXHIBIT 2
PAGE 1 OF 1**