

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

August 19, 2021

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.: 2021-424**

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**

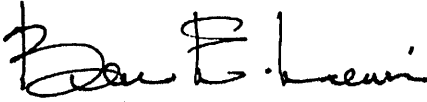
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Ian Brown	Absent
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, 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 2021-0424

AUGUST 19, 2021

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 2021-0424.

Location: 5578 Plymouth Street; Between Ellis Road and Orton Street

Real Estate Number: 067013-0000

Current Zoning District: Industrial Business Park (IBP)

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

Current Land Use Category: Light Industrial (LI)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: District 4—Southwest

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

Owner: Robin Peterson
5380 Colonial Avenue
Jacksonville, Florida 32210

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2021-0424 seeks to rezone 0.36± acres of land from Industrial Business Park (IBP) to Residential Medium Density-A (RMD-A). The request is being sought to allow for the development of three (3) single-family dwellings. Staff also notes a companion Small Scale Land Use Amendment L-5540-21C (**Ordinance 2021-0423**) that seeks to amend the land use from Light Industrial (LI) to Medium Density Residential (MDR).

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 that with the approval of companion Small Scale Land Use Amendment L-5540-21C (**Ordinance 2021-0423**), the subject property will be located in the Medium Density Residential (MDR) 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 proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. According to the Category Description of the FLUE, the Medium Density Residential (MDR) land use category is a category intended to provide compact medium to high-density residential development and transitional uses between low-density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. The site is currently in the LI land use category and within the Urban Development 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.

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 chemical and wastes. MDR in the Urban Area is intended to provide compact medium density residential development.

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 (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 may be permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

In reference to the attached JEA Availability Letter, **2021-1218**, the proposed development shall connect to City water and sewer with an estimated flow of 2,100 gpd.

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.

The proposed rezoning at the subject site would directly address projected growth demands, encourage redevelopment in blighted areas, and provide for a greater variety of housing product for Jacksonville residents.

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 IBP to RMD-A in order to permit for a single-family residential development.

SURROUNDING LAND USE AND ZONING

The subject property is located in the southeast corner of Plymouth Street and Ellis Road South. This general area contains a mixture of medium density residential and industrial lots. The proposed rezoning to RMD-A would render the lots to have a minimum lot size of 40 feet in lot width and 4,000 square feet in lot area—which, in terms of density, would complement the abutting residential lots to the east of the subject property as well as the multi-family dwelling to the east. Nonetheless, adjacent land uses and zoning districts are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	LI	IL	Warehouse/Storage
East	LI	IBP	Single-Family Dwellings
South	LI	IL	Warehouse/Storage
West	MDR	RMD-D	Multi-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

Upon visual inspection of the subject property on **August 5, 2021** 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 2021-0424 be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 04/14/21

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

Figure B:



Source: Planning & Development Dept, 08/12/21

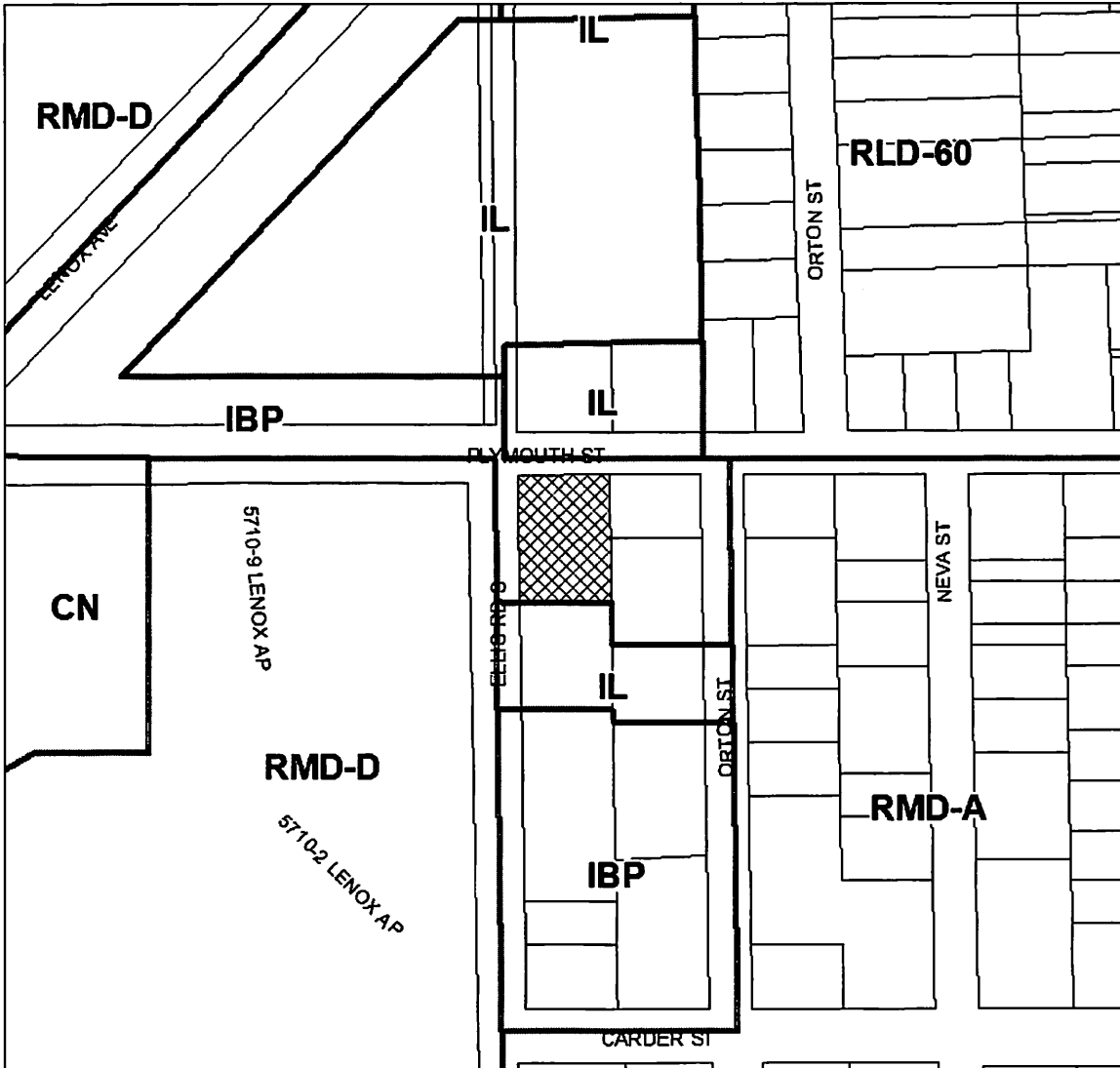
View of the subject parcel, facing north along Ellis Road South.

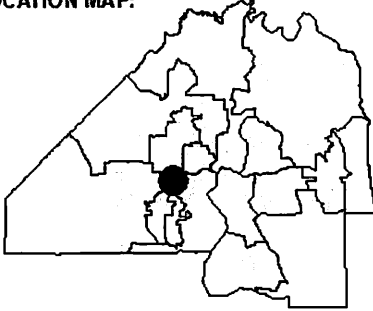

Figure D:



Source: Planning & Development Dept, 08/12/21

View of the subject parcel, facing north along Plymouth Street.



<p>REQUEST SOUGHT:</p> <p>FROM: IBP</p> <p>TO: RMD-A</p>	<p>LOCATION MAP:</p> 	 <p>0 65 130 260</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2021-0424</p>	<p>TRACKING NUMBER</p> <p>T-2021-3438</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0424 **Staff Sign-Off/Date** ATW / 06/16/2021
Filing Date 07/21/2021 **Number of Signs to Post** 2
Hearing Dates:
1st City Council 08/24/2021 **Planning Commission** 08/19/2021
Land Use & Zoning 09/08/2021 **2nd City Council** 09/14/2021
Neighborhood Association CEDARHURST RESIDENTS ASSOCIATION
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3438 **Application Status** FILED COMPLETE
Date Started 03/22/2021 **Date Submitted** 04/13/2021

General Information On Applicant

Last Name MEJIA **First Name** TAYLOR **Middle Name**
Company Name
 THE SOUTHERN GROUP
Mailing Address
 208 N LAURA ST SUITE 710
City JACKSONVILLE **State** FL **Zip Code** 32202
Phone 9043495954 **Fax** 904 **Email** MEJIA@THESOUTHERNGROUP.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name PETERSON **First Name** ROBIN **Middle Name** E
Company/Trust Name
Mailing Address
 5380 COLONIAL AVE
City JACKSONVILLE **State** FL **Zip Code** 32210
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 067013 0000	9	4	IBP	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 #**

5540

Total Land Area (Nearest 1/100th of an Acre) 0.36**Justification For Rezoning Application**

REZONING TO ALLOW FOR A RESIDENTIAL USE.

Location Of Property**General Location**

5578 PLYMOUTH STREET

House #	Street Name, Type and Direction	Zip Code
5578	PLYMOUTH ST	32205

Between Streets

ELLIS RD and ORTON 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**
0.36 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee**
26 Notifications @ \$7.00 /each: \$182.00
- 4) Total Rezoning Application Cost: \$2,192.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

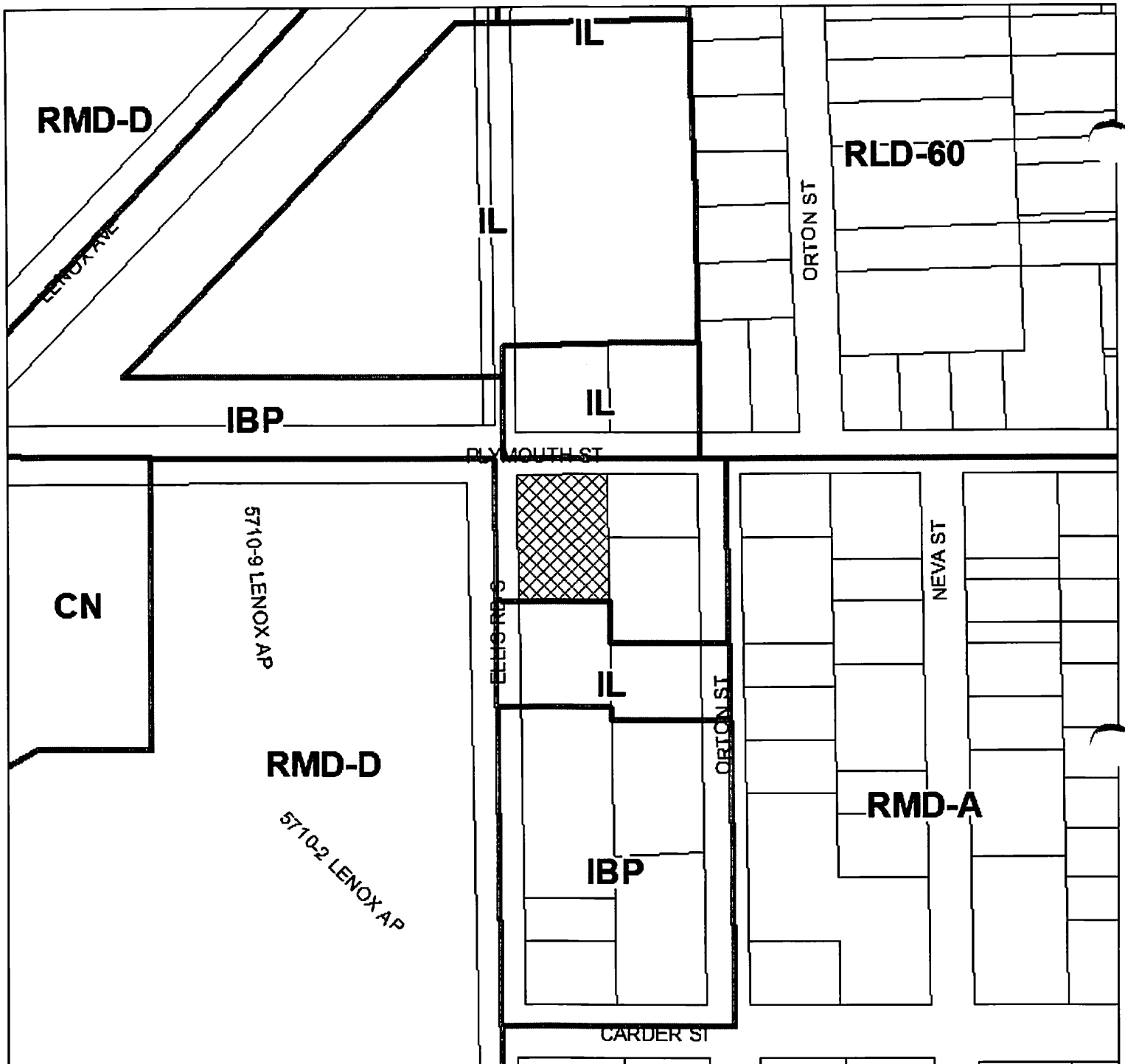
Legal Description

PARCEL ID NUMBER: 067630-0000

Lots 26, 27, 28, 29, 30, and 31, Block 15, CEDARHURST, as per plat thereof, recorded in Plat Book 8, Pages 46 and 47 of the public records of Duval County, Florida.

March 22, 2021

**Exhibit 1
Page 1 of 1**

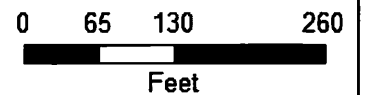
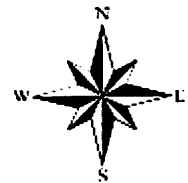
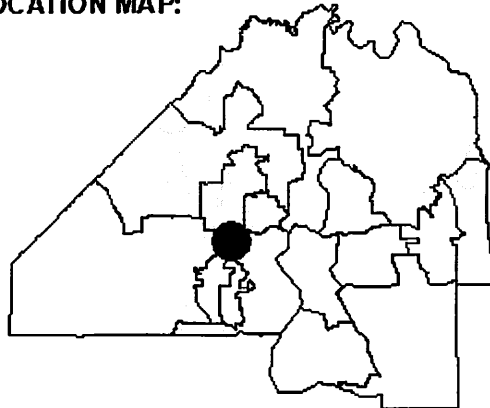


REQUEST SOUGHT:

FROM: IBP

TO: RMD-A

LOCATION MAP:



COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2021-3438

**EXHIBIT 2
PAGE 1 OF 1**