

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

January 20, 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.: 2021-873**

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: **Approve**

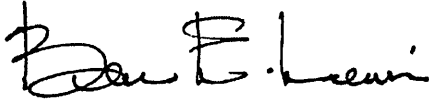
Planning Commission Recommendation: **Approve**

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

Planning Commission Vote:	5-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Joshua Garrison	Aye
Dawn Motes	Absent
Jason Porter	Absent

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 fluid and cursive, with the first name "Bruce" being the most prominent.

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 2021-0873

JANUARY 20, 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 2021-0873.

Location: 10865 Harts Road; Between Dunn Avenue and Bertha Street

Real Estate Number: 044140 0030

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

Proposed Zoning District: Public Buildings and Facilities-1 (PBF-1)

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

Planning District: District 6 – North

Applicant/Agent: City of Jacksonville
C/O Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202

Applicant/Agent: City of Jacksonville
C/O Planning and Development Department
214 North Hogan Street, Suite 300
Jacksonville, FL 32202

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2021-0873 seeks to rezone 2.48± acres of a subject property from Commercial Community/General-1 (CCG-1) to Public Buildings and Facilities-1 (PBF-1). The request is being sought in order to develop it as Jacksonville Fire and Rescue Station #64.

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 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 Future Land Use Element (FLUE), CGC is a category intended to provide for a wide variety of retail goods and services which serve large areas of the City and a diverse set of neighborhoods. Development within the category should be compact and connected and should support multi-modal transportation. Principal uses include restaurants, hotels and motels, office, financial institutions, and multi-family dwellings.

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 1.1.17

Require public and private infrastructure facilities to be located and designed in a manner that complements surrounding development.

The proposed rezoning would allow for the development of a fire station, with primary frontage along Harts Road, a collector roadway and near the corner of Dunn Avenue, a minor arterial roadway. The proposed public facility would complement the surrounding

commercial and residential area.

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.

The proposed rezoning at the subject site would enhance the viability of the surrounding area by permitting a use that increases public health and safety.

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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 PBF-1 would allow for small infill development on a traditionally underutilized parcel along Harts Road.

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 CCG-1 to PBF-1 in order to permit for the development of a new fire and rescue station—all while adhering to local, state, and federal regulations mentioned below:

SURROUNDING LAND USE AND ZONING

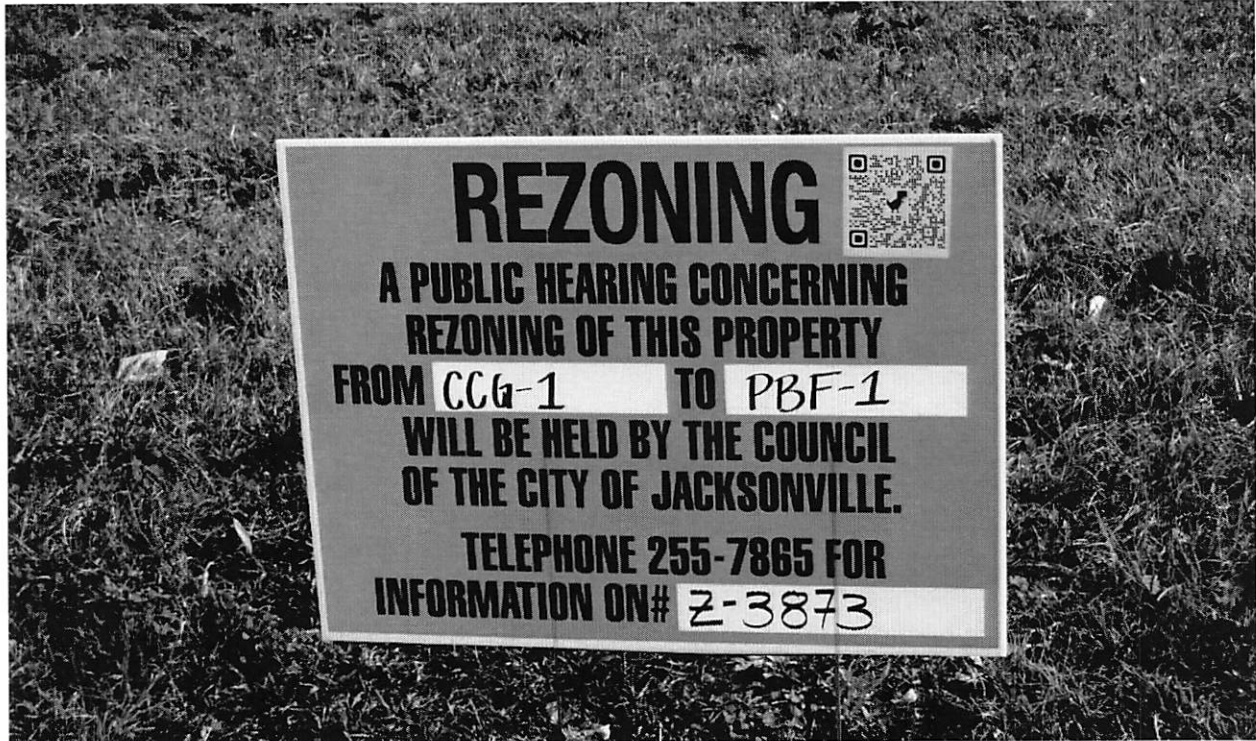
The subject property is located west of Interstate 95, near the corner of Harts Road and Dunn Avenue. The property has frontage along Harts Road. The rezoning request to the PBF-1 Zoning District will allow for improved public health and safety of the surrounding area by permitting a new fire and rescue station. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CGC	CCG-1	Motel
East	CGC	CCG-1	Interstate 95
South	CGC	CCG-1	Commercial Retail
West	CGC	CCG-1	Motel, Gas Station, Retail

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **January 13, 2022** 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 **2021-0873** be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 1/13/2022

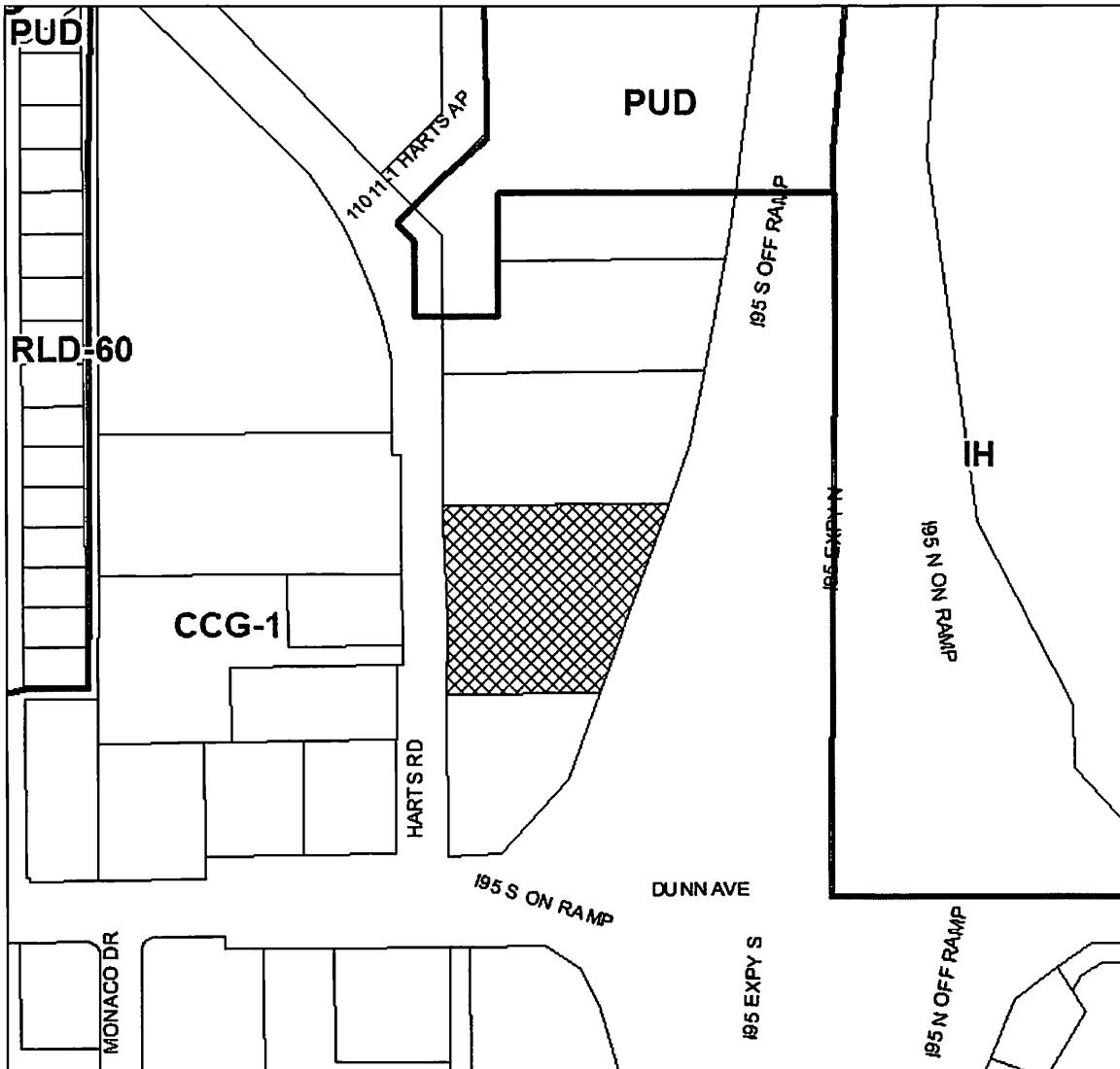
Aerial view of the subject site and parcel, facing north.

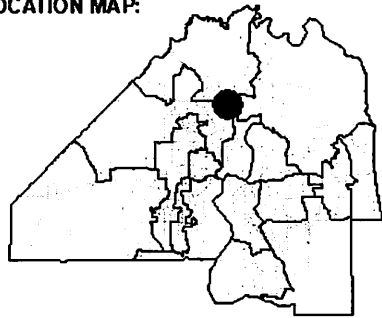

Figure B:



Source: Planning & Development Dept, 1/13/2022

View of the subject property from Harts Road.



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-1</p> <p>TO: PBF-1</p>	<p>LOCATION MAP:</p> 	 <p>0 95 190 380 Feet</p>
<p>ORDINANCE NUMBER ORD-2021-0873</p>	<p>TRACKING NUMBER T-2021-3873</p>	<p>COUNCIL DISTRICT: 7</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0873 **Staff Sign-Off/Date** KPC / 11/09/2021

Filing Date 11/29/2021 **Number of Signs to Post** 2

Hearing Dates:

1st City Council 01/25/2022 **Planning Commission** 01/20/2022

Land Use & Zoning 02/01/2022 **2nd City Council** N/A

Neighborhood Association THE EDEN GROUP INC.; COMMUNITY ASSN OF SANDY POINTE

Neighborhood Action Plan/Corridor Study DUNN & MAIN NAP

Application Info

Tracking # 3873

Application Status PENDING

Date Started 11/01/2021

Date Submitted 11/01/2021

General Information On Applicant

Last Name	First Name	Middle Name
JACKSONVILLE	CITY OF	

Company Name
CITY OF JACKSONVILLE

Mailing Address
214 NORTH HOGAN STREET, SUITE 300

City	State	Zip Code
JACKSONVILLE	FL	32202

Phone	Fax	Email
9042557800		COMMUNITYPLANNING@COJ.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
JACKSONVILLE	CITY OF	

Company/Trust Name
CITY OF JACKSONVILLE

Mailing Address
214 NORTH HOGAN STREET, SUITE 300

City	State	Zip Code
JACKSONVILLE	FL	32202

Phone	Fax	Email
9042557800		COMMUNITYPLANNING@COJ.NET

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 044140 0030	7	6	CCG-1	PBF-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) 2.48

Justification For Rezoning Application

REZONE FOR JFRD STATION #64

Location Of Property

General Location

EAST SIDE OF HARTS RD, NORTH OF DUNN AVE.

House #	Street Name, Type and Direction	Zip Code
10865	HARTS RD	

Between Streets

DUNN AVE and BERTHA 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
2.48 Acres @ \$10.00 /acre: \$30.00
- 3) Plus Notification Costs Per Addressee
10 Notifications @ \$7.00 /each: \$70.00
- 4) Total Rezoning Application Cost: \$2,100.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

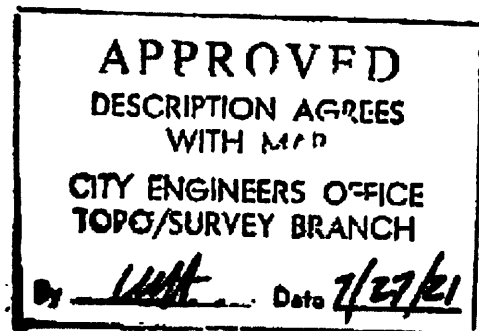
**Fire Station 64
Legal Description
Exhibit 1**

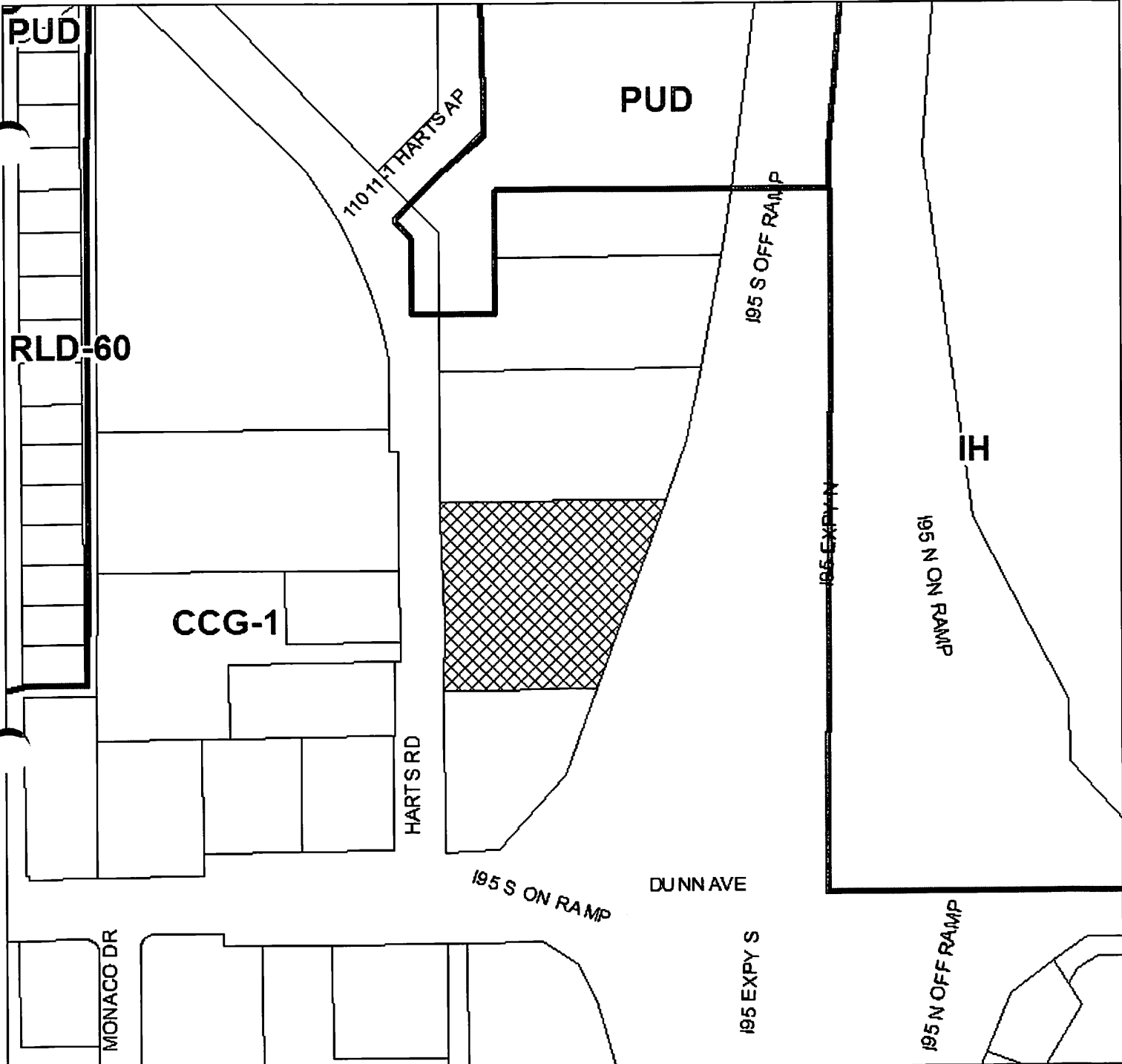
A part of Lot 2 of a subdivision of the John Broward Grant, Section 49, Township 1 South, Range 26 East, according to plat thereof recorded in Plat Book 1, pages 7 and 8 of the former public records of Duval County, Florida, more particularly described as follows:

Commence at the intersection of the Northerly right of way of Dunn Avenue with the former Easterly right of way line of Harts Road; thence North 00 degrees 29 minutes 08 seconds West along said Easterly line, 279 feet to an intersection with the Southerly boundary of that certain Order of Taking Duval County Case #2006-CA-003032, for right of way recorded in Official Records Book 13343, Page 135, Parcel 102, of the current public records of Duval County, Florida; thence North 89 degrees 27 minutes 08 seconds East along last said boundary, 6.00 feet to an intersection with the Easterly boundary thereof and the point of beginning; thence in a Northerly direction along last said Easterly boundary the following 2 courses and distances: Course No. 1: North 00 degrees 59 minutes 46 seconds East, 116.04 feet; Course No. 2: North 03 degrees 06 minutes 26 seconds West, 196.75 feet; thence North 00 degrees 29 minutes 07 seconds west, continuing along aforesaid Easterly right of way line of Hart's Road, 13.18 feet to an intersection with a line common to the South line of the lands described and recorded in Official Records Book 19655, Page 456 with the Northerly line of lands described and recorded in Official Records Book 17687, Page 1357 all of said current public records of Duval County, Florida; thence North 89 degrees 30 minutes 04 seconds East, along said common line, 395.11 feet to an intersection with the Westerly right of way line of Interstate 95; thence South 19 degrees 58 minutes 27 seconds West, along last said line, 347.43 feet to an intersection with the North line of the lands described and recorded in Official Records Book 16606, Page 81, of said current public records; thence South 89 degrees 27 minutes 08 seconds west, along last said line, 267.67 feet back to the Point of Beginning.

TOGETHER WITH the Easement Agreement recorded in Official Records Book 5208, Page 505, current Public Records, Duval County, Florida.

LESS and EXCEPT that portion of Harts Road which is set forth in that certain Order of Taking Duval County Case #2006-CA-003032 recorded in Official Records Book 13343, Page 135, Public Records of Duval County, Florida.



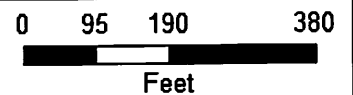
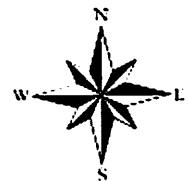
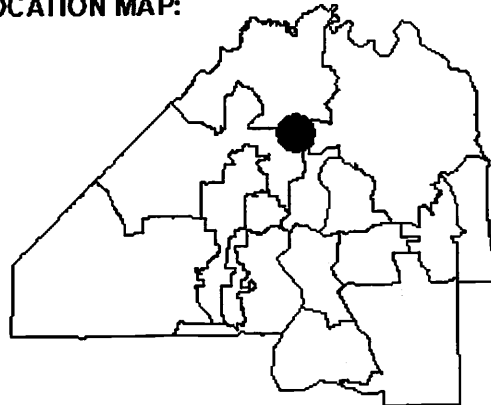


REQUEST SOUGHT:

FROM: CCG-1

TO: PBF-1

LOCATION MAP:



COUNCIL DISTRICT:

7

TRACKING NUMBER

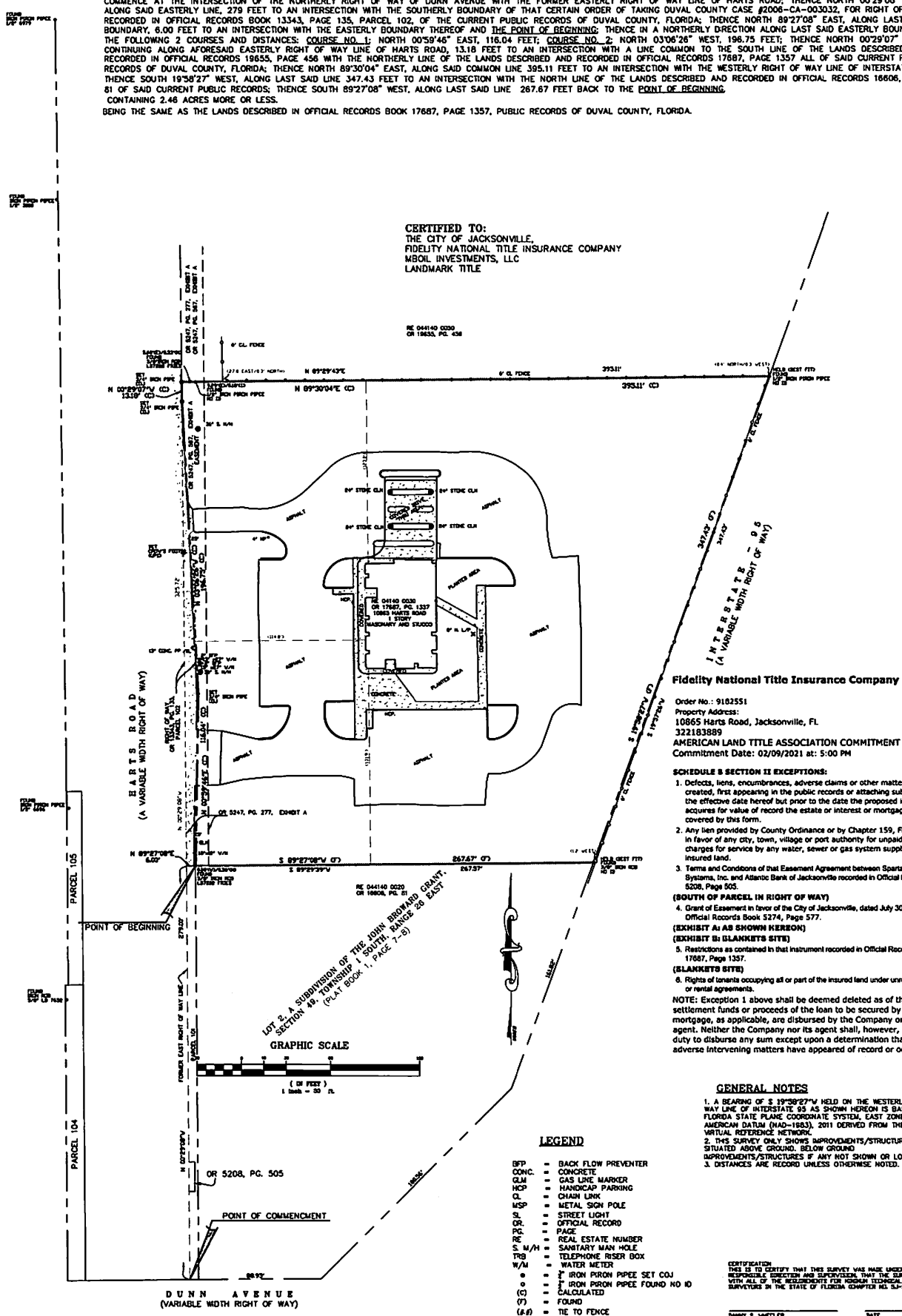
T-2021-3873

**EXHIBIT 2
PAGE 1 OF 1**

BOUNDARY SURVEY OF:

PART OF LOT 2 OF A SUBDIVISION OF THE JOHN BROWARD GRANT, SECTION 48, TOWNSHIP 1 SOUTH, RANGE 26 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGES 7 AND 8 OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCE AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY OF DUNN AVENUE WITH THE FORMER EASTERLY RIGHT OF WAY LINE OF HARTS ROAD; THENCE NORTH 00°29'08" WEST, ALONG SAID EASTERLY LINE, 279 FEET TO AN INTERSECTION WITH THE SOUTHERLY BOUNDARY OF THAT CERTAIN ORDER OF TAKING DUVAL COUNTY CASE #2006-CA-003032, FOR RIGHT OF WAY, RECORDED IN OFFICIAL RECORDS BOOK 13343, PAGE 135, PARCEL 102, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE NORTH 89°27'08" EAST, ALONG LAST SAID BOUNDARY, 8.00 FEET TO AN INTERSECTION WITH THE EASTERLY BOUNDARY THEREOF AND THE POINT OF BEGINNING; THENCE IN A NORTHERLY DIRECTION ALONG LAST SAID EASTERLY BOUNDARY THE FOLLOWING 2 COURSES AND DISTANCES: COURSE NO. 1: NORTH 00°59'46" EAST, 116.04 FEET; COURSE NO. 2: NORTH 03°06'26" WEST, 196.75 FEET; THENCE NORTH 00°29'07" WEST, CONTINUING ALONG AFORESAID EASTERLY RIGHT OF WAY LINE OF HARTS ROAD, 13.18 FEET TO AN INTERSECTION WITH A LINE COMMON TO THE SOUTH LINE OF THE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 19655, PAGE 456 WITH THE NORTHERLY LINE OF THE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 17687, PAGE 1357 ALL OF SAID CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE NORTH 89°30'04" EAST, ALONG SAID COMMON LINE 395.11 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 95; THENCE SOUTH 19°59'27" WEST, ALONG LAST SAID LINE 347.43 FEET TO AN INTERSECTION WITH THE NORTH LINE OF THE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 16606, PAGE 81 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 89°27'08" WEST, ALONG LAST SAID LINE 267.67 FEET BACK TO THE POINT OF BEGINNING.
 CONTAINING 2.46 ACRES MORE OR LESS.
 BEING THE SAME AS THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 17687, PAGE 1357, PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

CERTIFIED TO:
 THE CITY OF JACKSONVILLE,
 FIDELITY NATIONAL TITLE INSURANCE COMPANY
 MBOIL INVESTMENTS, LLC
 LANDMARK TITLE



Fidelity National Title Insurance Company
 Order No.: 9182551
 Property Address:
 10865 Harts Road, Jacksonville, FL
 322183889
 AMERICAN LAND TITLE ASSOCIATION COMMITMENT
 Commitment Date: 02/09/2021 at: 5:00 PM

- SCHEDULE B SECTION II EXCEPTIONS:**
1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this form.
 2. Any lien provided by County Ordinance or by Chapter 159, Florida Statutes, in favor of any city, town, village or port authority for unpaid service charges for service by any water, sewer or gas system supplying the insured land.
 3. Terms and Conditions of that Easement Agreement between Spartan Food Systems, Inc. and Atlantic Bank of Jacksonville recorded in Official Records Book 5208, Page 505.
 4. Grant of Easement in favor of the City of Jacksonville, dated July 30, 1980, in Official Records Book 5274, Page 577.
 5. Restrictions as contained in that instrument recorded in Official Records Book 17687, Page 1357.
 6. Rights of tenants occupying all or part of the insured land under unrecorded leases or rental agreements.

NOTE: Exception 1 above shall be deemed deleted as of the time the settlement funds or proceeds of the loan to be secured by the insured mortgage, as applicable, are disbursed by the Company or its authorized agent. Neither the Company nor its agent shall, however, be under any duty to disburse any sum except upon a determination that no such adverse intervening matters have appeared of record or occurred.

GENERAL NOTES

1. A BEARING OF S 19°39'27" W HELD ON THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE 95 AS SHOWN HEREON IS BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM (NAD-1983), 2011 DERIVED FROM THE TRIANGLE VERTICAL REFERENCE NETWORK.
2. THIS SURVEY ONLY SHOWS IMPROVEMENTS/STRUCTURES SITUATED ABOVE GROUND, BELOW GROUND IMPROVEMENTS/STRUCTURES IF ANY NOT SHOWN OR LOCATED.
3. DISTANCES ARE RECORD UNLESS OTHERWISE NOTED.

LEGEND

- BFP = BACK FLOW PREVENTER
- CONC. = CONCRETE
- GLM = GAS LINE MARKER
- HCP = HANDICAP PARKING
- OL = CHAIN LINK
- MSP = METAL SIGN POLE
- SL = STREET LIGHT
- OR = OFFICIAL RECORD
- PG. = PAGE
- RE = REAL ESTATE NUMBER
- S. M/H = SANITARY MAN HOLE
- TRB = TELEPHONE RISER BOX
- W/M = WATER METER
- 2" = 2" IRON PIRON PIPE SET COJ
- 1" = 1" IRON PIRON PIPE FOUND NO 10
- (C) = CALCULATED
- (F) = FOUND
- (P) = TIE TO FENCE

CERTIFICATION
 THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE UNDER THE UNDERSIGNED'S PERSONAL SUPERVISION AND THAT THE SURVEY DATA COMPLETES WITH ALL OF THE REQUIREMENTS FOR MODERN TECHNIQUES FOR LAND SURVEYING IN THE STATE OF FLORIDA CHAPTER 90, §90.01-90.03, F.A.C.

SAVARY S. WHEELER
 PROFESSIONAL LAND SURVEYOR
 FLORIDA REGISTRATION NUMBER 6902

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL BASED SEAL OF A FLORIDA LICENSED SURVEYOR AND SAID SEAL IS APPROPRIATE FOR INTERNATIONAL PURPOSES ONLY AND IS NOT VALID.

SURVEY DATA		PROJECT DATA	
DATA BOOK NO. 3-046	PROJECT NAME	PROJECT NO.	FIRE STATION 64 SITE 10865 HARTS ROAD PROPOSED
SURVEY BOOK NO. 3-046	PAGES 123	DATE 7-01-23	
LEVEL BOOK NO.	PAGES	SCALE 1"=30'	
LAST DATE BY FIELD			SHEET NO. 01 OF 01 DRAWING NO. 1745754

CITY OF JACKSONVILLE
 DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION 214 N. HOGAN STREET
 10th Floor JACKSONVILLE, FL 32202/904253-4754