



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 322-2
(904) 630-CITY
www.coj.net

November 9, 2023

The Honorable Ronald B. Salem, Pharm. D., President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2023-706**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Planning and Development Department Recommendation: **Deny**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition The Commissioners found the site not suitable for residential development and does not represent commercial intrusion.

Planning Commission Vote: **9-0**

Charles Garrison, Chair	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Julius Harden	Aye
Mone Holder	Aye
Ali Marar	Aye
Mark McGowan	Aye
Jack Meeks	Aye
Tina Meskel	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in blue 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

2023-0706/AD-23-84

LOCATION: 0 St. Augustine Road, Jacksonville, FL 32207

REAL ESTATE NUMBER: 130411-0130; 130411-0120; 130411-0110

DEVIATION SOUGHT:

1. Decrease the minimum number of loading spaces from 1 required to 0 loading spaces.
2. Reduce the perimeter landscape buffer area between vehicle use area and abutting property from 5 feet minimum width required along the South boundary to 2 feet.
3. Decrease the minimum width of driveway access from St. Augustine Road from 24 feet required to 13 feet.
4. Reduce the uncomplimentary land use buffer width from 10 feet wide required along the North property boundary to 5 feet wide.
5. Reduce the uncomplimentary land use buffer width from 10 feet wide required along the East property boundary to 5 feet wide.
6. Reduce the uncomplimentary land use buffer width from 10 feet wide required along the South property boundary to 2 feet wide.

PRESENT ZONING: RLD-60

CURRENT LAND USE: LDR

PLANNING DISTRICT: 3 **COUNCIL DISTRICT:** 5

SIGNS POSTED: 1

AGENT/APPLICANT:

Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne, and Diebenow, PLLC
1 Independent Drive, Suite 1200
Jacksonville, FL 32202

OWNER:

T20 Holdings LLC
8600 NW 36 Avenue
Miami, FL 33147

STANDARDS, CRITERIA AND FINDINGS

1. Is this situation unique or similar to other properties in the neighborhood?	<p>Recommendation: Unique. The three properties are all vacant undeveloped land that are classified as "wasteland" that combine to form the 0.45-acre subject site that is located on the east side of St. Augustine Road, between Lorimier Road and St. Augustine Road. This subject site is unique given that no other properties in the area have the same size or shape. The subject site is located within a large Residential Low Density-60 (RLD-60) Zoning District, with an adjacent Community Commercial General-2 (CCG-2) Zoning District to the east. The southern boundary of the property abuts a cemetery, the Veterans of Foreign Wars Post No 1689, while the northern property line abuts a railroad track. The applicant is proposing building an office and warehouse on the subject site.</p> <p>This application has 2 companion applications, a rezoning application (2023-0705) and a land-use amendment application (2023-0704) that the department is</p>
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	<p>recommending denial given the surrounding uses in the area and the zoning districts.</p> <p><u>Findings:</u></p>
<p>2. There are practical and economic difficulties in carrying out the strict letter of the regulation in that...</p>	<p><u>Recommendation:</u> Yes. According to the applicant, there are practical difficulties in carrying out the strict letter of the regulation, given the size and proposed layout of the site limits the development of the proposed site.</p> <p>The applicant seeks to construct a 3,500 sq. ft. building and requests relief from the landscape requirements of Part 12 of the Zoning Code. The owner is also requesting a land use amendment, a rezoning of the property, and the Administrative Deviation, which are all required to facilitate the project.</p> <p><u>Findings:</u></p>
<p>3. The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish a result that is in the public interest.</p>	<p><u>Recommendation:</u> No, while the request may not be based on a desire to reduce the cost of developing the site due to the unique shape of the subject site, approval of the request and companion rezoning application and land use amendment application is recommended for denial.</p> <p>Approval of the requested deviations would accomplish a result not in the public interest by allowing for the development of the property that would otherwise be limited by the strict application of the Zoning Code. The subject site is located within a large RLD-60 Zoning District. The southern boundary of the property also abuts a cemetery, the Veterans of Foreign Wars Post No 1689, while the northern property line abuts a railroad.</p> <p>The applicant seeks to construct a 3,500 sq. ft. building and requests relief from the landscape requirements of Part 12 of the Zoning Code. Although reducing the uncomplimentary boundary adjacent to the railroad tracks is logical, the remaining requests underscore the fact that the building is too large for the parcel. Any adjacent property owner should expect a buffer that minimizes the noise and obnoxious views of an industrial use. This application reduces that buffer to half of what is required.</p> <p><u>Findings:</u></p>
<p>4. The proposed deviation will not substantially diminish</p>	<p><u>Recommendation:</u> No. The proposed deviations could diminish property values and it would alter the essential</p>

<p>property values in, nor alter the essential character of the area surrounding the site and will not substantially interfere with or injure the rights of others whose property would be affected by the deviation, in that...</p>	<p>character of the area surrounding the site. The subject site is located within a large RLD-60 Zoning District. The subject site could substantially interfere with or injure the rights of others as explained below.</p> <p>The 0.45-acre subject site is located on the east side of St. Augustine Road, between Lorimier Road and St. Augustine Road. The property is adjacent to single family dwellings and a cemetery within the residential zoning district and vacant governmental, railroad, and apartment uses within the adjacent commercial district, east of the railroad tracks. The adjacent land use categories and zoning districts are as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse; margin: 10px 0;"> <thead> <tr> <th style="text-align: left;">Adjacent Property</th> <th style="text-align: left;">Land Use Category</th> <th style="text-align: left;">Zoning District</th> <th style="text-align: left;">Current Use</th> </tr> </thead> <tbody> <tr> <td>North</td> <td>LDR; LI; CGC</td> <td>RLD-60; IL; CCG-2</td> <td>Single Family Dwellings; Railroad; Vehicle Used Sales</td> </tr> <tr> <td>South</td> <td>LDR</td> <td>RLD-60</td> <td>Cemetery; Single Family Dwellings; Railroad</td> </tr> <tr> <td>East</td> <td>CGC</td> <td>CCG-2</td> <td>Vacant Governmental; Railroad; Apartments</td> </tr> <tr> <td>West</td> <td>LDR</td> <td>RLD-60</td> <td>Service Garage/Vehicle Repair</td> </tr> </tbody> </table> <p>This application has 2 companion applications, a rezoning application (2023-0705) and a land-use amendment application (2023-0704) that the department is recommending denial given the uses in the area and the surrounding zoning districts.</p> <p><u>Findings:</u></p>	Adjacent Property	Land Use Category	Zoning District	Current Use	North	LDR; LI; CGC	RLD-60; IL; CCG-2	Single Family Dwellings; Railroad; Vehicle Used Sales	South	LDR	RLD-60	Cemetery; Single Family Dwellings; Railroad	East	CGC	CCG-2	Vacant Governmental; Railroad; Apartments	West	LDR	RLD-60	Service Garage/Vehicle Repair
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West	LDR	RLD-60	Service Garage/Vehicle Repair																		
<p>5. The proposed deviation will not be detrimental to the public health, safety, or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law, in that...</p>	<p><u>Recommendation:</u> Staff finds that the development of the subject site would be a nuisance to the surrounding properties given the incompatible uses of the area. The railroad is seen as a natural boundary to prevent industrial encroachment into a residential area, which the applicant is proposing to do.</p> <p><u>Findings:</u></p>																				
<p>6. The effect of the proposed deviation is in harmony with the spirit and intent of the Zoning Code.</p>	<p><u>Recommendation:</u> No. The intent of the Zoning Code is to promote the health and safety of the public, while allowing for deviations that are within the public's best interest. The proposed deviations would allow for the proposed site to be developed with an office and warehouse, however, given the surrounding area, uses, and zoning districts. Staff finds the proposed use is not compatible with the area. The railroad to the north acts as a natural boundary to prevent commercial/industrial encroachment into a residential area.</p>																				

	Findings:
7. The City landscape architect has not recommended the proposed deviations.	The City Landscape Architect has reviewed the proposed deviations and has recommended denial. Please see attached Landscape memo dated October 26, 2023.
8. The existing violation was not created by the applicant with an intent to violate the Zoning Code.	There are no existing Zoning Code violations associated with the subject property.

**PLANNER RECOMMENDATION: DENY
 DATE OF REPORT: November 9, 2023**



Source: Planning & Development, 10/26/2023
Aerial view of the subject property, facing north.



Source: Planning & Development, 10/24/2023
The required notice of public hearing sign was posted.



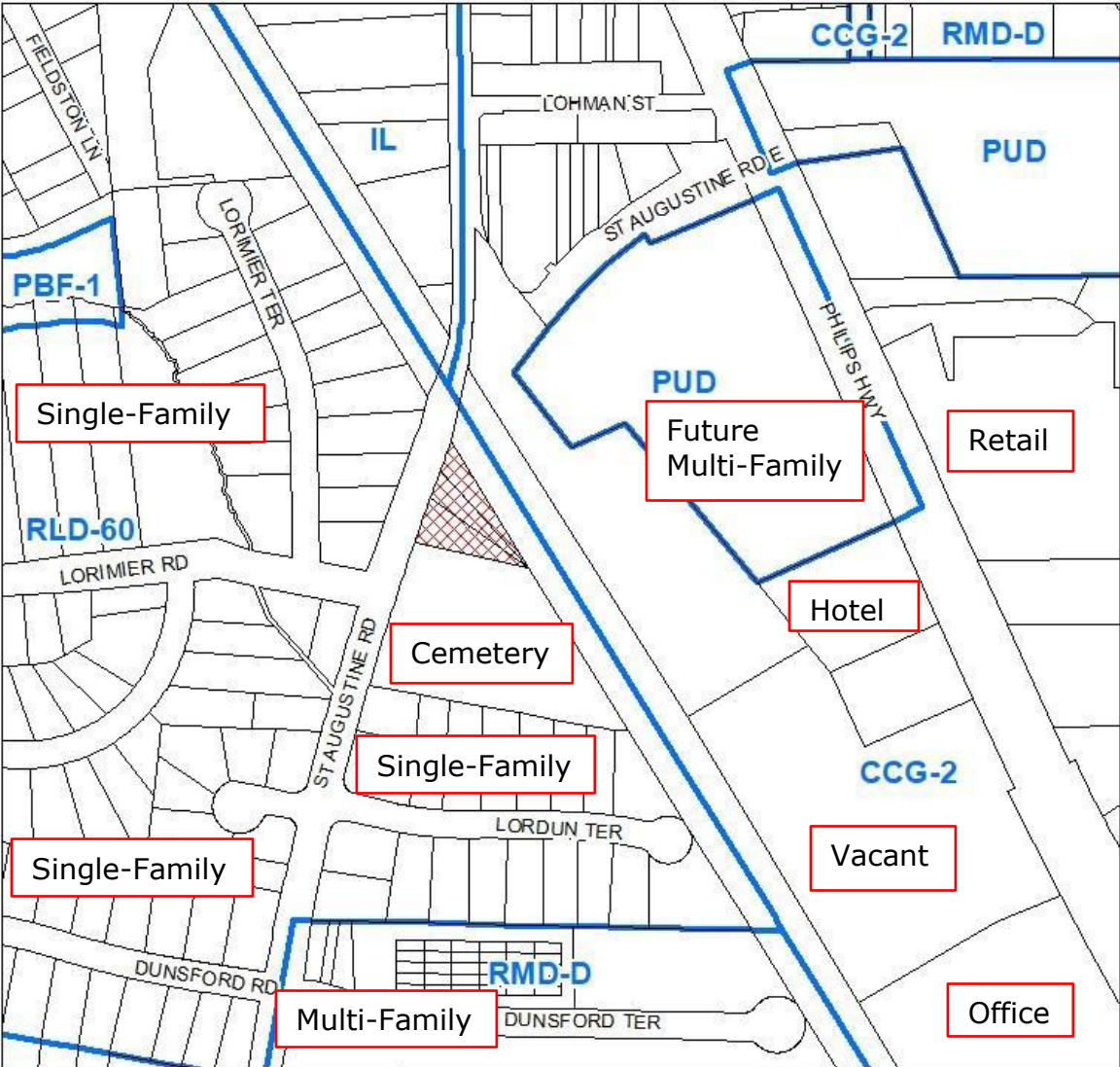
Source: Planning & Development, 10/24/2023
View of the subject property, facing east.



**Source: Planning & Development, 10/24/2023
View of property, facing northeast, toward the CCG-2 Zoning District.**



**Source: Planning & Development Department, 10/24/2023
View of property, facing southwest, toward the RLD-60 Zoning District.**



<p>REQUEST SOUGHT:</p> <p>DECREASE MINIMUM NUMBER OF LOADING SPACES FROM 1 REQUIRED TO 0 LOADING SPACES</p> <p>REDUCE THE PERIMETER LANDSCAPE BUFFER AREA BETWEEN VEHICLE USE AREA AND ABUTTING PROPERTY FROM 5 FEET MINIMUM WIDTH REQUIRED ALONG: SOUTH BOUNDARY TO 2 FEET</p> <p>DECREASE THE MINIMUM WIDTH OF THE DRIVEWAY ACCESS FROM ST. AUGUSTINE ROAD FROM 24 FEET REQUIRED TO 13 FEET</p> <p>REDUCE THE UNCOMPLIMENTARY LAND USE BUFFER WIDTH FROM 10 FEET WIDE REQUIRED ALONG: NORTH PROPERTY BOUNDARY TO 5 FEET WIDE EAST PROPERTY BOUNDARY TO 5 FEET WIDE SOUTH PROPERTY BOUNDARY TO 2 FEET WIDE</p>	<p>LOCATION MAP:</p>	
	<p>TRACKING NUMBER</p> <p>AD-23-84</p>	<p>COUNCIL DISTRICT:</p> <p>5</p> <p>EXHIBIT 2 PAGE 1 OF 1</p>

Legal Map
Source: JaxGIS Map