

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
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Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

July 20, 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.: 2023-358**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairperson Carrico 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
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Jordan Elsbury	Aye
David Hacker	Aye
Morgan Roberts	Absent

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
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2023-0358

JULY 20, 2023

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 **2023-0358**.

Location: 14839 Main Street North

Real Estate Numbers: 108160-0000; 108163-0000

Current Zoning District: Planned Unit Development (PUD)

Proposed Zoning District: Commercial, Residential, Office (CRO)

Current Land Use Category: Low Density Residential (LDR)
Community/General Commercial (CGC)

Proposed Land Use Category: Residential-Professional-Institutional (RPI)

Planning District: 6 - North

Applicant/Agent: Marshall Phillips, Esq.
Rogers Towers, P.A.
1301 Riverplace Boulevard, Suite 1500
Jacksonville, Florida 32207

Owner: 17 Signature, LLC
2628 State Road 13 N
St. Johns, Florida. 32207

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0358** seeks to rezone 7.08 acres of the subject property from the Residential Planned Unit Development (PUD) to the Commercial Residential Office (CRO) Zoning District. The subject properties are currently vacant and were rezoned in the past to a PUD (2008-144) to allow for general commercial uses similar to CCG-1 with some design flexibility. The applicant states that the rezoning is being sought in order to allow for a multi-family development which is allowed by right in the CRO zoning district.

A companion Small Scale Land Use Amendment is seeking to change the Land Use Category from Low Density Residential (LDR) and Community/General Commercial (CGC) to Residential-Professional-Institutional (RPI) by Ordinance **2023-0357**. The department is also recommending Approval of the Amendment.

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 2045 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 2045 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

1. Is the proposed rezoning consistent with the 2045 Comprehensive Plan?

Yes. Zoning application Ordinance 2023-0358 has a companion land use application, Ordinance 2023-0357/ L-5804-23C that is changing the land use from CGC and LDR to RPI in the suburban Development Area on the subject 7.08 acre site.

The 7.08 acre subject site is located along the east side of Main Street North (US-17), a major arterial road, between Bernard Road and Lake Run Boulevard, both unclassified roads. The site is also located in Planning District 6, Council District 7 (District 8 as of July 1, 2023), the Suburban Development Area, and within the JIA CRA. The applicant seeks to rezone the property from PUD to CRO to allow for multifamily development of the site. The applicant has also submitted a companion land use amendment from Community/General Commercial (CGC) and Low Density Residential (LDR) to Residential-Professional-Institutional (RPI), which is pending concurrently.

Residential Professional Institutional (RPI) is a category primarily intended to accommodate medium to high density residential, office, and institutional uses. Limited neighborhood commercial retail and service establishments which serve a diverse set of neighborhoods may also be a part of single or mixed-use developments. RPI is generally intended to provide transitional uses between commercial, office and residential uses, although it may also provide a transition between industrial and residential uses when industrial uses pose no health or safety risks to residents. Plan amendment requests for new RPI designations are preferred in locations which are supplied with full urban services. Development within the category should be compact and connected and should support multi-modal transportation. All uses should be designed in a

manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Single-use developments in the RPI land use category shall be limited to residential, institutional, restaurant, or office uses, unless 50 percent of the contiguous RPI category within one quarter of a mile radius of the subject site is developed for residential, institutional, restaurant, or office uses. Developments that do not comply with the single-use provisions shall provide a mix of uses within the development site and shall be subject to the limitation that uses that are not permitted as single-uses shall not exceed 90 percent of a development. The maximum gross density permitted in the Suburban Area shall be 20 units/acre and there shall be no minimum density. Multi-family dwellings are a principal use in the RPI land use category.

2. ***Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?***

Yes. The proposed application is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan:

Policy 1.1.22 Future development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

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.

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 residents. 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 Comprehensive Plan and Land Development Regulations.

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, the Small Scale Land Use Amendment to change the parcel to the RPI Land Use Category would make the proposed CRO Zoning District compliant with the City's land use regulations.

SURROUNDING LAND USE AND ZONING

The surrounding uses, land use category and zoning are as follows:

<u>Adjacent Properties</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use</u>
North	CGC/LDR	CCG-2/RLD-120	Single Family Home / Mixed Use
East	LDR	RLD-120	Single Family Dwellings
South	LDR/CGC	PUD	Vacant Governmental (Powerlines)
West	MDR/CGC	CCG-2	Vacant / Train Tracks

The proposed rezoning to CRO will be consistent and compatible with the adjacent properties established in the vicinity.

SUPPLEMENTARY INFORMATION

Upon conformation from the applicant via affidavit on July 7, 2023, the required Notice of Public Hearing signs **were not** posted. The Applicant has since provided the sign posting affidavit showing that the signs are posted.

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0358** be **APPROVED**.



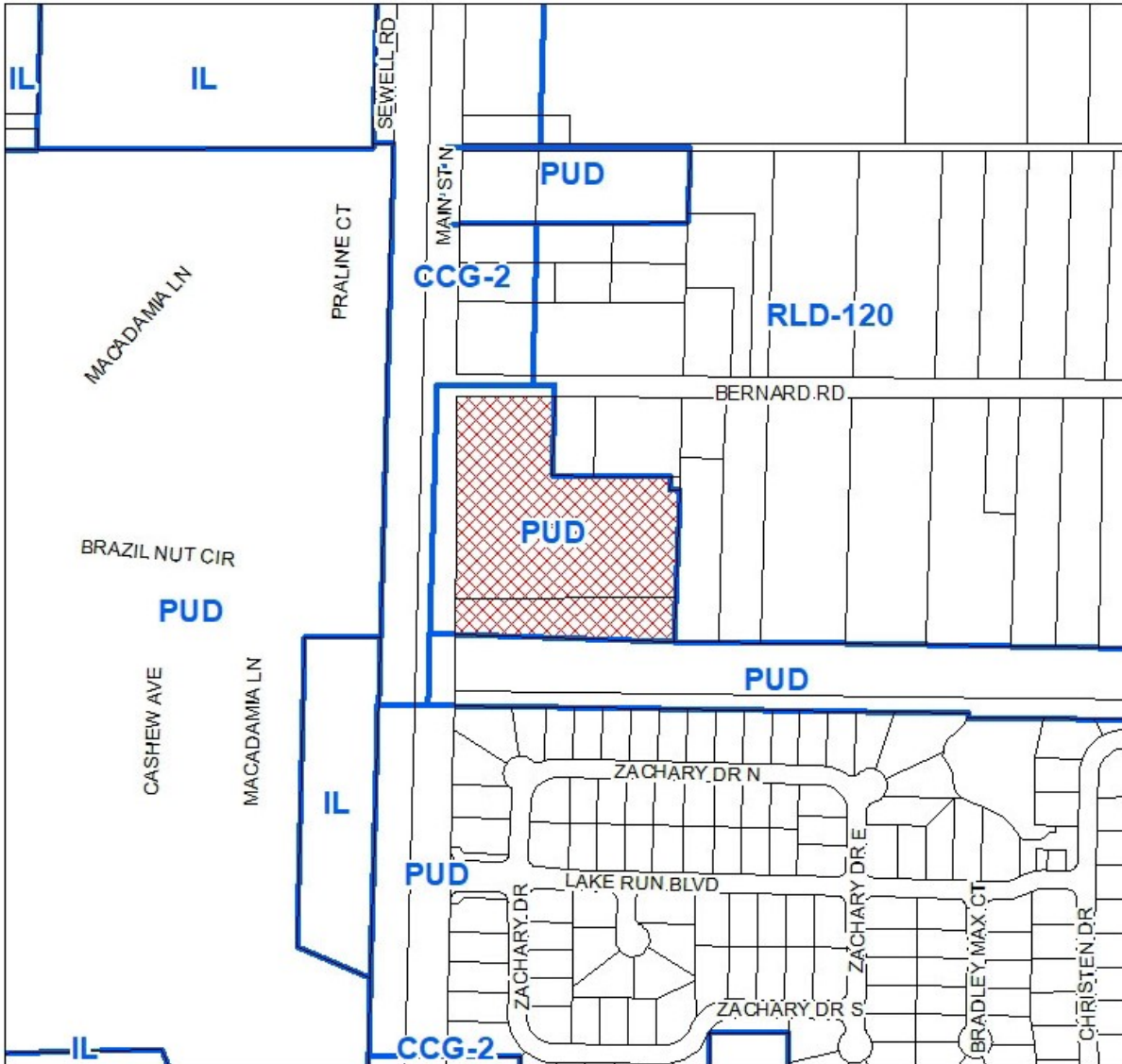
Aerial View

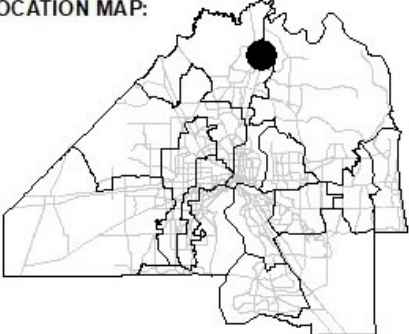



View of the Subject Site from Main Street North



View of the Subject Site from Bernard Road



<p>REQUEST SOUGHT:</p> <p>FROM: PUD</p> <p>TO: CRO</p>	<p>LOCATION MAP:</p> 	 <p>0 145 290 580</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>7</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2023-0358</p>	<p>TRACKING NUMBER</p> <p>T-2023-4776</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map