

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

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

June 9, 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.: 2022-349**

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**

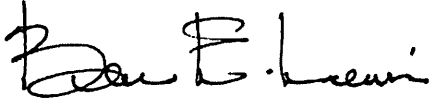
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were two speakers in opposition and their concerns the use will bring crime to the area and the parcel was used as a dump site. The Commissioners

Planning Commission Vote:	7-0
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	Absent
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 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 2022-0349**

**JUNE 9, 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 **2022-0349**.

***Location:*** 4330 Pearce Street; between Spring Grove Avenue and Pearce Street

***Real Estate Numbers:*** 085589 0000

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

***Proposed Zoning District:*** Residential Medium Density-D (RMD-D)

***Current Land Use Category:*** Public Buildings and Facilities (PBF)

***Proposed Land Use Category:*** Medium Density Residential (MDR)

***Planning District:*** Urban Core, District 1

***Applicant/Agent:*** Carol Brenner  
Justina Ct Apt, LLC  
9170 Glades Road #178  
Boca Raton, FL 33434

***Owner:*** Paulette Turner  
Jabez Apartments & Homes LLC  
7982 Concord Boulevard West  
Jacksonville, FL 32208

***Staff Recommendation:*** **APPROVE**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2022-0349** seeks to rezone 14.66± acres from Public Buildings and Facilities-2 (PBF-2) to Residential Medium Density-D (RMD-D) to develop the property with multi-family dwellings. Staff notes a companion Small Scale Land Use Amendment L-5686-22C (**Ordinance 2022-0348**) that seeks to amend the land use from Public Buildings and Facilities (PBF) 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?***

The applicant seeks to rezone a portion of the property from PBF-2 to RMD-D, concurrent with a companion land use application, L-5686-22C, which seeks to amend the FLUMs from PBF to MDR. The request is to amend the zoning district from PBF-1 to RMD-D to allow for construction of affordable housing to replace the current blighted and condemned school building.

Zoning application Ordinance 2022-349 has a companion land use application, Ordinance 2022-348/ L-5686-22C that is changing the land use from PBF to MDR in the Urban Priority Development Area on the subject 14 acre site. The subject site is located at 4330 Pearce Street between Pearce Street and Spring Grove Avenue. Pearce Street is classified as a local road. The site is currently an old school building. The subject abuts single family and multi-family dwellings.

The Medium Density Residential (MDR) land use category in the Urban Priority Area is intended to provide compact medium to high density mixed use development at 20 units per acre. The proposed RMD-D rezoning is consistent with the proposed MDR land use amendment application for the subject site.

### ***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. The proposed rezoning to RMD-D promotes a pattern of compatible uses (*i.e.* multi-family dwellings) consistent with the surrounding area and future development.

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

*The applicant has provided a JEA Availability letter stating that the subject property is in proximity to both water and sewer connection points. The applicant will be required to connect to both to develop the property.*

**Policy 3.1.11** The City shall require new residential areas to be designed to include an efficient system of internal circulation and connection to adjacent developments and neighborhoods. The Land Development Regulations shall detail the requirements for public access and interconnectivity within and between developments based on standards such as but not limited to a connectivity score, maximum separations between connections to adjacent developments, and rules relative to hours, operations, and public safety considerations for any restriction of access through the use of gates.

*Public access and interconnectivity requirements will be reviewed once plans are submitted for 10-set review.*

**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 subject property is currently a blighted and condemned school building and approval of this Rezoning would allow the developers to develop the property with uses that are similar in nature to the existing neighboring properties.*

**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 PBF-2 to RMD-D in order to permit the development of multi-family dwellings compatible with the surrounding area.

### SURROUNDING LAND USE AND ZONING

The subject property is located west of Moncrief Road, at the intersection of 33<sup>rd</sup> St West and Pearce Street. The subject property was previously used as the Mary McLeod Bethune Elementary School. The surrounding uses, land use category and zoning are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	RPI	CRO	Clara White Mission
East	LDR/MDR	RLD-60/RMD-D	Single Family/Multi-Family
South	LDR	RLD-60	Single Family Dwellings
West	LDR/LI	RLD-60/ IL	Single Family Dwellings/Vacant

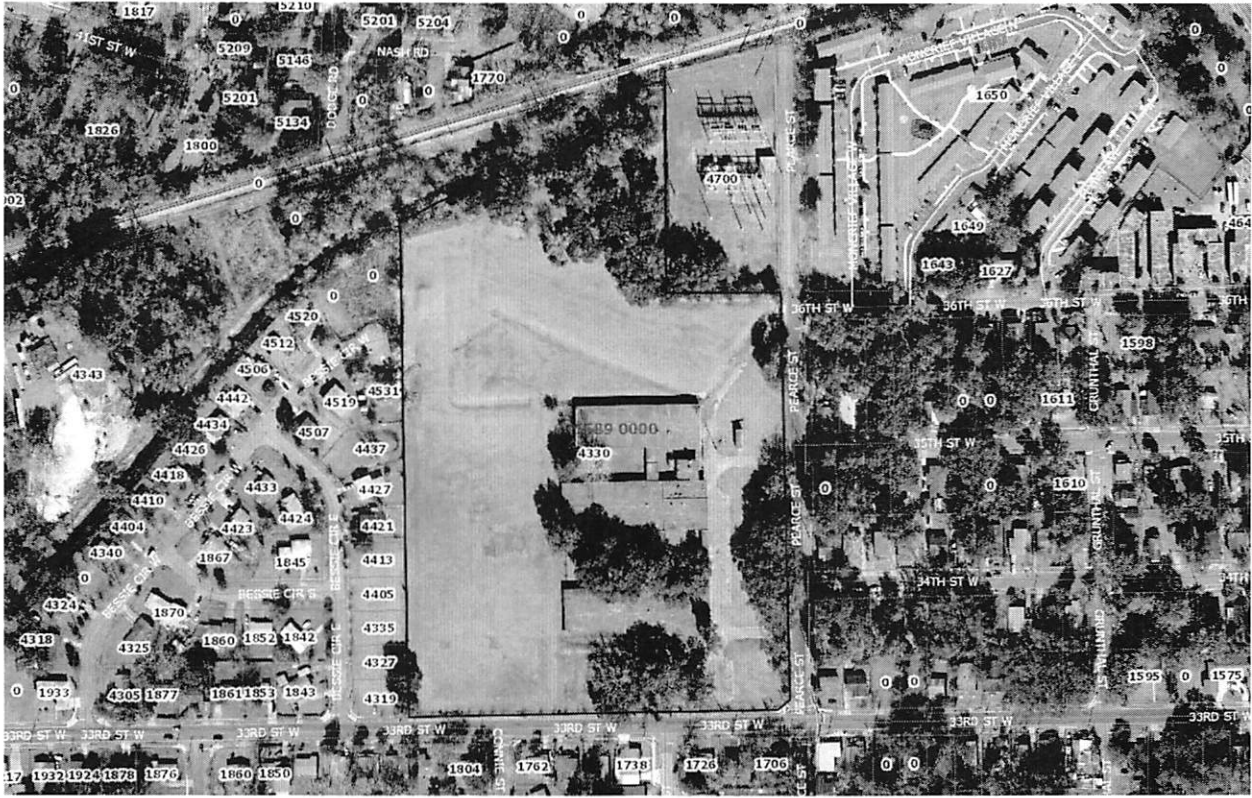
### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property 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 **2022-0349** be **APPROVED**.

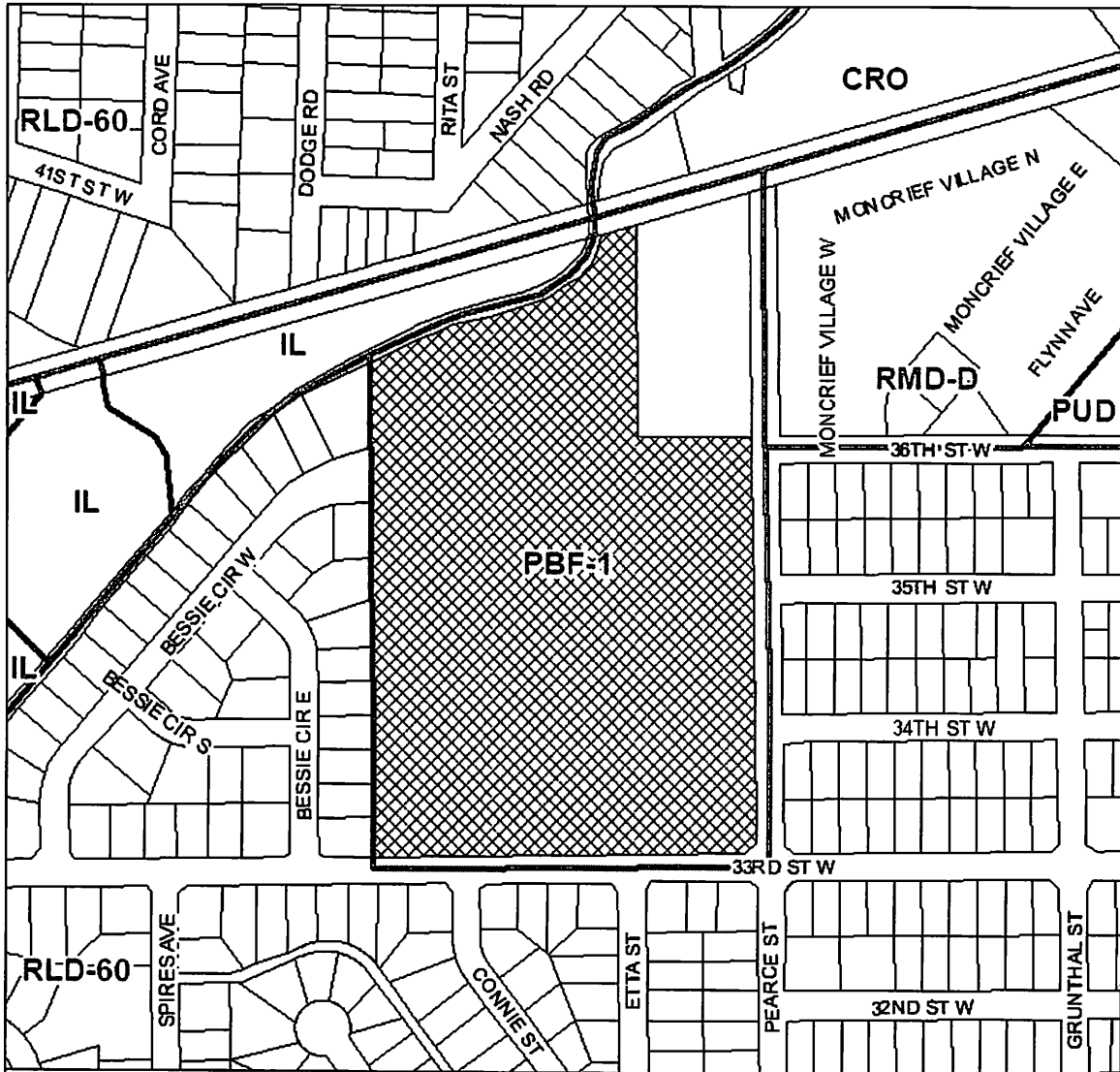


Aerial view of subject property.



Source: Google Street View, February 2022

View of the subject property.



<p><b>REQUEST SOUGHT:</b></p> <p><b>FROM: PBF-1</b></p> <p><b>TO: RMD-D</b></p>	<p><b>LOCATION MAP:</b></p>	<p>0 100 200 400 Feet</p>
<p><b>ORDINANCE NUMBER</b></p> <p><b>ORD-2022-0349</b></p>	<p><b>TRACKING NUMBER</b></p> <p><b>T-2022-4120</b></p>	<p><b>COUNCIL DISTRICT:</b></p> <p><b>8</b></p> <p><b>EXHIBIT 2</b> <b>PAGE 1 OF 1</b></p>



## Application For Rezoning To Conventional Zoning District

### Planning and Development Department Info

**Ordinance #** 2022-0349 **Staff Sign-Off/Date** KPC / 04/14/2022

**Filing Date** 04/25/2022 **Number of Signs to Post** 7

**Hearing Dates:**

**1st City Council** 06/14/2022 **Planning Commission** 06/09/2022

**Land Use & Zoning** 06/21/2022 **2nd City Council** 06/28/2022

**Neighborhood Association** ROYAL TERRACE COMMUNITY, INC.

**Neighborhood Action Plan/Corridor Study** 29TH & CHASE NAP

### Application Info

**Tracking #** 4120 **Application Status** SUFFICIENT

**Date Started** 02/25/2022 **Date Submitted** 02/25/2022

### General Information On Applicant

Last Name	First Name	Middle Name
BRENNER	CAROL	

**Company Name**  
JUSTINA CT APT, LLC

**Mailing Address**  
9170 GLADES RD #178

City	State	Zip Code
BOCARATON	FL	33434

Phone	Fax	Email
9545201469	5615665085	CAROLBRENNER377@GMAIL.COM

### General Information On Owner(s)

**Check to fill first Owner with Applicant Info**

Last Name	First Name	Middle Name
TURNER	PAULETTE	Y

**Company/Trust Name**  
JABEZ APARTMENTS & HOMES LLC

**Mailing Address**  
7982 CONCORD BLVD W

City	State	Zip Code
JACKSONVILLE	FL	32208

Phone	Fax	Email
9042001030		WMESSER@WATSONCOMMERCIAL.COM

### 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 085589 0000	8	1	PBF-1	RMD-D

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

**Existing Land Use Category**

**Land Use Category Proposed?****If Yes, State Land Use Application #****Total Land Area (Nearest 1/100th of an Acre)** 14.66**Justification For Rezoning Application**

CONDEMNED SCHOOL IS BLIGHT ON THE COMMUNITY. NEEDS TO BE DEMOLISHED AND REZONED FOR HOUSING AS THIS AREA IS IN NEED FOR AFFORDABLE HOUSING

**Location Of Property****General Location**

CORNER OF PEARCE ST AND W33RD

House #	Street Name, Type and Direction	Zip Code
4330	PEARCE ST	32209

**Between Streets**

4640 and PEARCE

**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**  
      **14.66 Acres @ \$10.00 /acre: \$150.00**
- 3) Plus Notification Costs Per Addressee**  
      **142 Notifications @ \$7.00 /each: \$994.00**
- 4) Total Rezoning Application Cost: \$3,144.00**

**NOTE: Advertising Costs To Be Billed to Owner/Agent**