



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
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Jacksonville, FL 32202
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Jacksonville.gov

May 9, 2024

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.: 2024-276**

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: **Deny**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There was one speaker in opposition whose concern was that Robinson Road was not suitable for truck traffic. The Commissioners were divided; Robinson Road is narrow with swales, however a majority of the land is in the floodplain and unsuitable for residential development.

Planning Commission Vote: **4-2**

Charles Garrison, Chair	Aye
Tina Meskel, Vice Chair	Nay
Mark McGowan, Secretary	Aye
Lamonte Carter	Absent
Amy Fu	Nay
Julius Harden	Absent
Mon'e Holder	Aye

Ali Marar

Aye

Jack Meeks

Absent

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

Sincerely,



Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2024-0276

MAY 9, 2024

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 **2024-0276**.

<i>Location:</i>	0 Pritchard Road; 6453 Robinson Road Between Robinson Road Pritchard Road
<i>Real Estate Number(s):</i>	003461-0020; 004339-0030
<i>Current Zoning District(s):</i>	Residential Rural-Acre (RR-Acre) Residential Low Density-60 (RLD-60)
<i>Proposed Zoning District:</i>	Industrial Light (IL)
<i>Current Land Use Category:</i>	Low Density Residential (LDR)
<i>Proposed Land Use Category:</i>	Light Industrial (LI)
<i>Planning District:</i>	Northwest, District 5
<i>Council District:</i>	District 10
<i>Applicant:</i>	David Christopher Hagan 208 N. Laura Street, Suite 710 Jacksonville, FL 32202
<i>Owner(s):</i>	Roy Shaw Shaw's Land Properties, LLC 2762 Beaver Street W Jacksonville, Florida 32254
<i>Staff Recommendation:</i>	DENY

GENERAL INFORMATION

Application for Rezoning Ordinance **2024-0276** seeks to rezone ±17.81 acres of land from Residential Rural-Acre (RR-Acre) and Residential Low Density-60 (RLD-60) to Industrial Light (IL). This application also has a companion land use amendment (L-5840-23C/ Ordinance 2024-275) to change the land use category from Low Density Residential (LDR) to Light Industrial (LI), which is pending concurrently with this application. The site is vacant and undeveloped, and the

owner of the property presently has no specific plans of use for the property. Additionally, access to the parcel would be through a residential neighborhood using local roadways, which are not developed to accommodate the type of vehicles associated with industrial uses.

A similar rezoning from RLD-60 to IL was approved in 2019 pursuant to Ordinance 2019-0485-E for adjacent property to the west. This made the operation of an existing transportation company on the site a confirming use whereas before it was a legal non-conforming use in the RLD-60 Zoning District. The use of the site was in existence prior to 1990 when the zoning district for the property was Industrial Light and Warehouse (ILW). When the site was placed in the LDR land use category and RLD-60 zoning district, it created the nonconformity.

This rezoning application went before the King Soutel Advisory Board on April 25, 2024, as one of the two properties (RE #: 003461-0020) is within the King Soutel Overlay. The board voted unanimously to approve this rezoning application.

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?

No. The 17.81-acre subject site is located at 0 Pritchard Road and 6453 Robinson Road, on the north side of Robinson Road and on the east side of the west I-295 beltway. According to the City's Functional Highways Classification Map, Robinson Road is an unclassified roadway.

The property is in Council District 10 and Planning District 5 (Northwest). The property is also located in the Suburban Development Area as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan. The applicant seeks to rezone from RR-Acre to IL to allow for future development. A companion Future Land Use Map (FLUM) amendment was also filed for this site to change the land use from LDR to LI (L-5840-23C / Ordinance 2024-275) which is pending concurrently with this application.

Light Industrial (LI) is a category which provides for the location of industrial uses that are able to be performed in such a manner as to control the external effects of the process, such as smoke, noise, soot, dirt, vibration, odor, etc. Uses within this category, other than outside storage, shall be conducted within an enclosed building. Generally, light industrial uses involve materials that have previously been prepared, or raw materials that do not need refining. These uses do not create a noticeable amount of noise, dust, odor, smoke, glare or vibration outside of the building or on the site in which the activity takes place. Site access to roads classified as collector or higher on the Highway Functional Classification Map is preferred.

Due to the site's incompatibility with the surrounding uses and access exclusively through residential neighborhoods, the Planning Department is recommending denial of the associated land use application and this rezoning application. The Planning Department recommends denial of the companion land use application, L-5840-23C, Ordinance 2024-275. The rezoning to IL is inconsistent with the current land use.

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

No. The proposed application is not consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan:

Goal 1

To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

The vacant undeveloped properties along Pritchard Road is 17.81 acres of underutilized land. Allowing for light industrial uses on these parcels would encourage infill and development in the Suburban Development Area that is not compatible with surrounding uses. Although there are light industrial uses to the west of the property, the adjacent properties to the north, east, and south are residential uses. Additionally, the entrance to the proposed light industrial properties would be by Robinson Road, which has single-family homes along the entirety of the southern side of Robinson Road and the majority of the north side of Robinson Road.

Objective 3.2

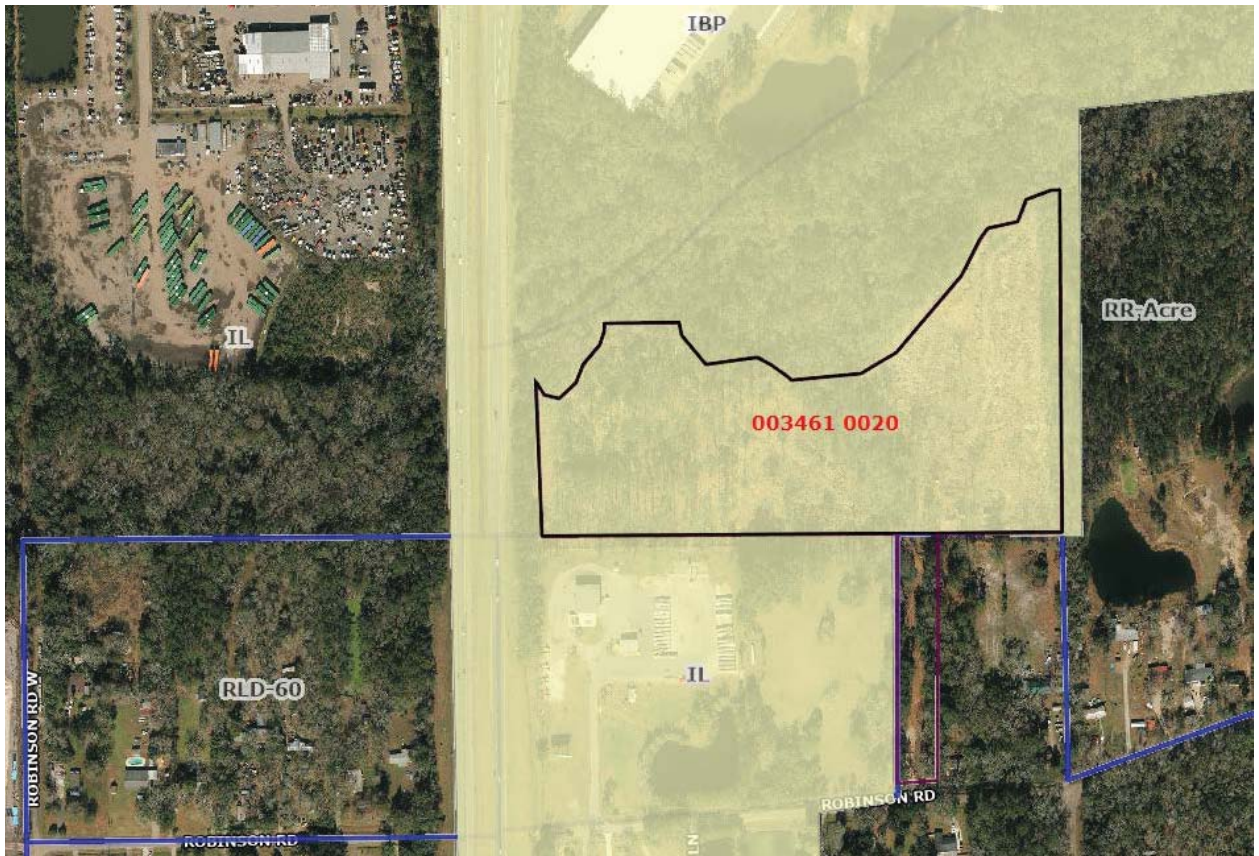
Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

The proposed properties are currently both residential properties that would not offer opportunities to support the adjacent residential properties by means of employment, shopping, and leisure opportunities if rezoned to Industrial Light.

Policy 3.2.30

The area shown on the Industrial Preservation Map (Map L-23) as “Industrial Sanctuary” or “Areas of Situational Compatibility” are presumed to be appropriate for land use map amendments to industrial categories, subject to a case-by-case review of consistency with State and regional plans and the Comprehensive Plan.

One of the proposed properties (RE#: 003461-0020) is located within the Industrial Situational Compatibility area as seen below.



Aerial View of properties within the Industrial Situational Compatibility area

Source: JaxGIS, 4/26/2024

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low, medium and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Adaptation Action Area

Most of the application's site (approximately 17.44 acres of the amendment site of 17.81 acres) is located within the AAA. The AAA boundary is a designation in the City's 2045 Comprehensive Plan which identifies areas that experience coastal flooding due to extreme high tides and storm surge, and that is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. The AAA is defined as those areas within the projected limit of the Category 3 storm surge zone, those connected areas of the 100-year and 500-year Flood Zone, and additional areas determined through detailed flood analysis.

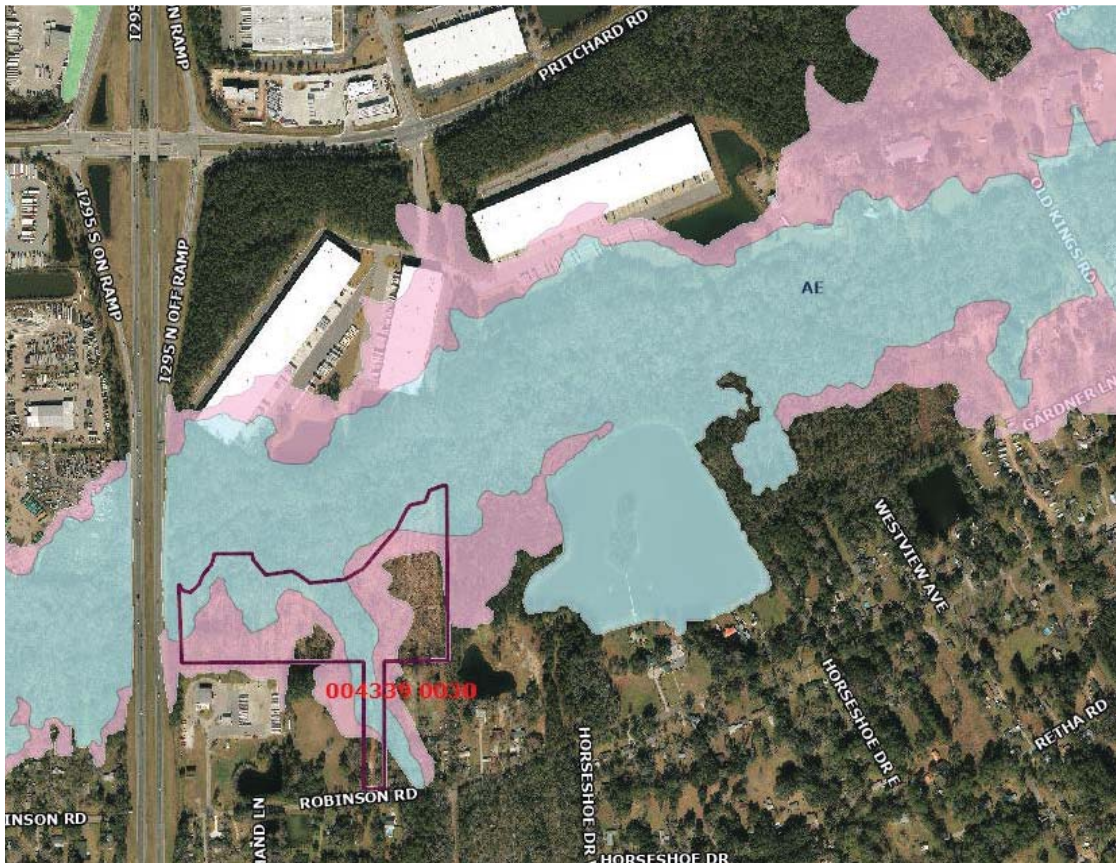
The applicant is encouraged to consider site design measures, such as clustering development away from the AAA, to protect development from the impacts of flooding.

Flood Zones

Approximately 6.26 acres of the subject site is within the AE Flood Zone and 7.24 acres is located in the 0.2 Percent Chance Annual Hazard Area (Flood Zone X). Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100- year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100 years.

There is a 1-percent chance that a storm of this magnitude will occur in any given year. The AE Flood Zone are areas within the 100-year floodplain or SFHA where flood insurance is mandatory.

The 0.2 PCT Annual Chance Flood Hazard area is within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards.



Flood Zone Map

Source: JaxGIS

Wetlands

Review of City data and site plan submitted by the applicant indicates the potential existence of wetlands on the subject site and as such, based upon the city's geographic information data, the Planning and Development Department has determined the general location, type(s), size, quality and functional value of the wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment may be consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Because the amendment site contains Category II wetlands, the application will be presented to the Joint Waterways Commission at its next meeting on May 16, 2024.



Wetlands Map
Source: JaxGIS

3. *Does the proposed rezoning conflict with any portion of the City's land use regulations?*

Yes. The proposed rezoning conflicts with the City's land use regulations.

SURROUNDING LAND USE AND ZONING

The proposed rezoning is located on Robinson Road, on the north side of Robinson Road and on the east side of the west I-295 beltway. Robinson Road is a 2-lane, unclassified roadway surrounded primarily by single-family dwellings, while parcels to the north are zoned for industrial uses these parcels are accessed directly from Pritchard Road, a minor arterial roadway, and do not have to go through residential neighborhoods for access. The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RR-Acre	Vacant Residential; Warehousing/Distribution
South	LDR	RLD-60	Single-Family Dwellings
East	LDR	RLD-60, RR-Acre	Single-Family Dwellings
West	LI; LDR	IL; RLD-60	Service Garage; Single Family Dwellings; Vehicle Used Sales

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **April 16, 2024** 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 **2024-0276** be **DENIED**.



Aerial

Source: JaxGIS, April 25, 2024



Subject Property via Robinson Street

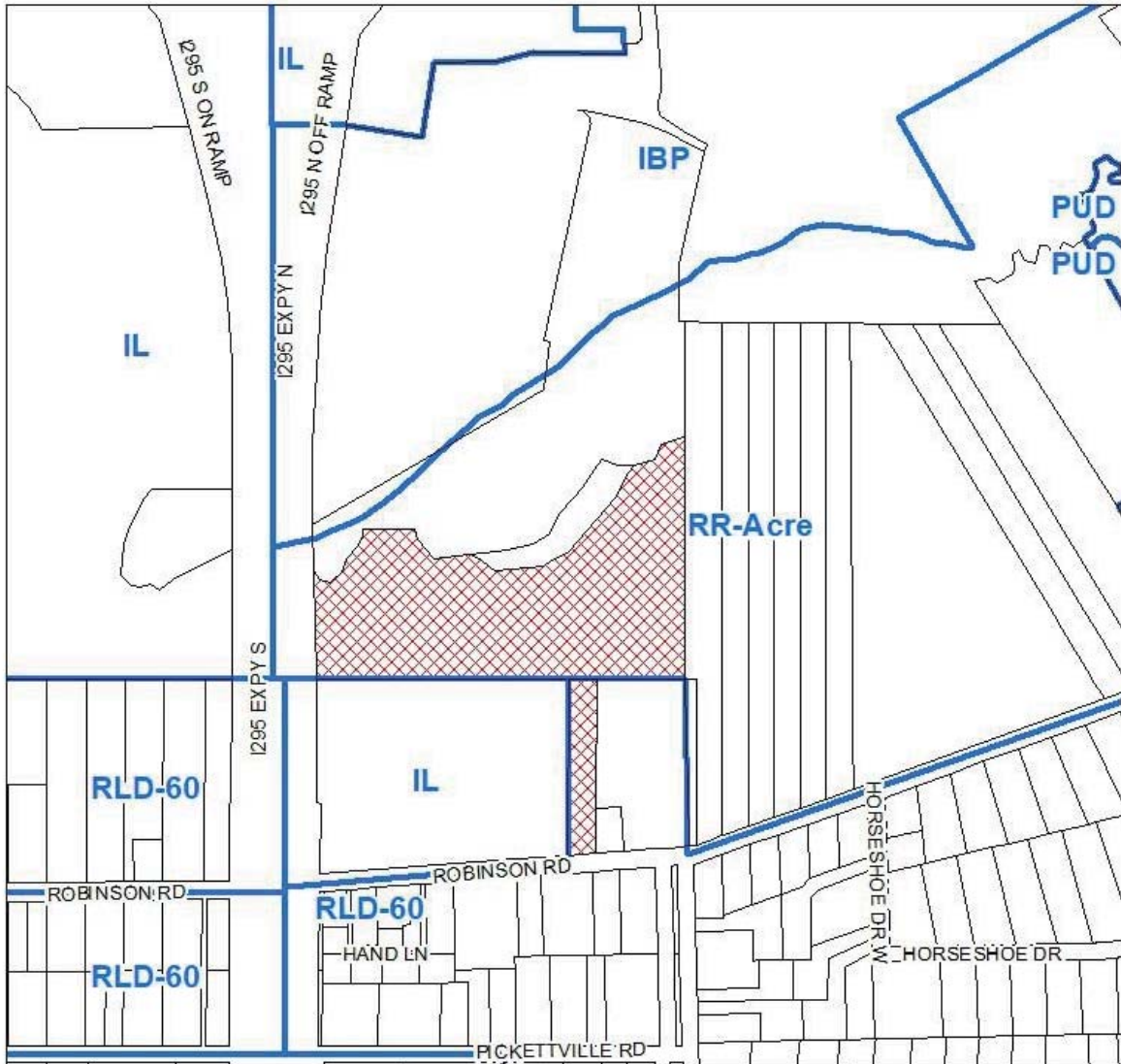
Source: Planning & Development Department, April 16, 2024

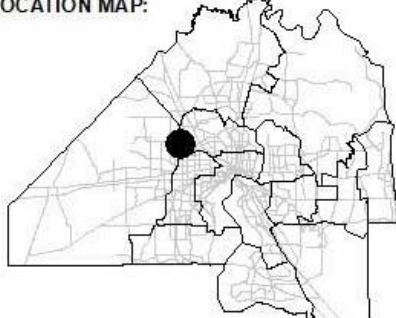
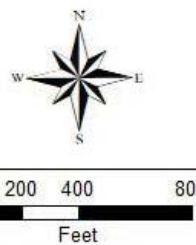


Adjacent properties on the south side of Robinson Road, across from the Subject Property
Source: COJ, Planning & Development Department, April 16, 2024



View of the adjacent properties, east of the proposed property, on Robinson Road
Source: COJ, Planning & Development Department, April 16, 2024



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE & RLD-60</p> <p>TO: IL</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>10</p>
<p>TRACKING NUMBER</p> <p>T-2023-5004</p>		<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map