



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

December 7, 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.: 2023-791**

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: **Deny**

Planning Commission Commentary: There was one speaker in opposition whose concerns were with the semi-tractors/trailers being stored on the property and the destruction of the road. The Commissioners discussed that since semis were still on the property, the owners were not operating in good faith.

Planning Commission Vote: 7-1

Charles Garrison, Chair	Nay
Tina Meskel, Vice Chair	Aye
Mark McGowan, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye

Julius Harden	Aye
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 2023-0791

DECEMBER 07, 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 2023-0791.

<i>Location:</i>	4389 Philips Highway Between Napoli Court and Philips Highway
<i>Real Estate Number(s):</i>	153033-0005 portion of
<i>Current Zoning District(s):</i>	Commercial Office (CO) Commercial Community/General-2 (CCG-2)
<i>Proposed Zoning District:</i>	Commercial Community/General-2 (CCG-2)
<i>Current Land-Use:</i>	Community/General Commercial (CGC)
<i>Planning District:</i>	Southeast, District 3
<i>Owner:</i>	Valerie K. Theam & Dallapy S. Theam 11715 Greenland Oaks Drive Jacksonville, Florida. 32258
<i>Agent:</i>	Fred Atwill Atwill, LLC 9001 Forest Acres Lane Jacksonville, Florida. 32234
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0791** seeks to rezone approximately 0.29 +/- acres of land from Commercial Office (CO) to Commercial Community/General-2 (CCG-2). The rezoning is being sought to bring the entire parcel into one single Zoning District to allow for the existing outdoor storage use. The property owner received municipal code violation 2023-9018861, for parking of commercial vehicles in a CO Zoned district, They are rezoning in response to this citation.

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. The proposed change is consistent with the 2045 Comprehensive Plan. A portion of the property (RE# 153033-0005) is within the CO Zoning District and fronts along Putnam Avenue, a local road. The remainder portion fronts Philips Highway, a principal arterial road and is located within the CCG-2 Zoning District.

Currently the site has a CGC land use designation. According to the Future Land Use Element (FLUE), CGC in in the Urban Priority Area is intended to provide compact development which should generally be developed in nodal and corridor development patterns while promoting the revitalization or advancement of existing commercial districts and the use of existing infrastructure through infill development and redevelopment. Principal uses include, but are not limited to, commercial retail sales and service establishments, restaurants, financial institutions, and multi-family dwellings.

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

Yes. This proposed rezoning to CCG-2 is consistent with the 2045 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element:

Objective 1.1 Ensure that the type, rate, and distribution of growth in the City results in compact and compatible land use patterns, an increasingly efficient urban service delivery system and discourages proliferation of urban sprawl through implementation of regulatory programs, intergovernmental coordination mechanisms, and public/private coordination.

The proposed rezoning is not creating any new commercial properties, but rather would allow the existing business to continue to operate in compliance with the Zoning code and bring the entire parcel under the same Zoning District.

Objective 3.2 Continue to 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 rezoning to CCG-2 will continue to promote the viability of the commercial corridor of Philips Highway. Additionally the proposed rezoning portion of this parcel is consistent with adjacent CCG-2 parcels.

U.S. 1 Corridor Neighborhood Action Plan

This site is located within the boundaries of the U.S. 1 Corridor Study Area; 5/12/2001 (2001-321-E). The property is part of the northern segment of the plan, where redevelopment and infill is encouraged. The commercial use of the property matches surrounding businesses. As such, the continued current use of the lot is consistent with the recommendations of the U.S. 1 corridor plan.

SURROUNDING LAND USE AND ZONING

The immediate area surrounding the subject parcel is partially developed as a commercial area with the properties being split between the CO and CCG-2 Zoning Districts. The property is also adjacent to a single family dwelling but would be required to provide a 10 foot uncomplimentary buffer adjacent to the single family parcel. The surrounding Uses, Land Use Categories and Zoning Districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CGC	CCG-2	Convenience store/Service Garage
South	CGC	PUD	Mobile home park
East	CGC	CO	Single Family dwelling
West	LI	IL	Vacant Industrial

SUPPLEMENTAL INFORMATION

Upon visual inspection by the City Planner on November 17, 2023 the required Notice of Public Hearing sign was posted.



Source: Planning and Development

Date: November 17, 2023

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2023-0791** be **APPROVED**.



Aerial Photo

Source: JaxGIS

Date: November 13, 2023



View of the portion of the property that is seeking to be rezoned.

Source: Planning and Development

Date: November 17, 2023



View of the neighboring properties along Putnam Street.

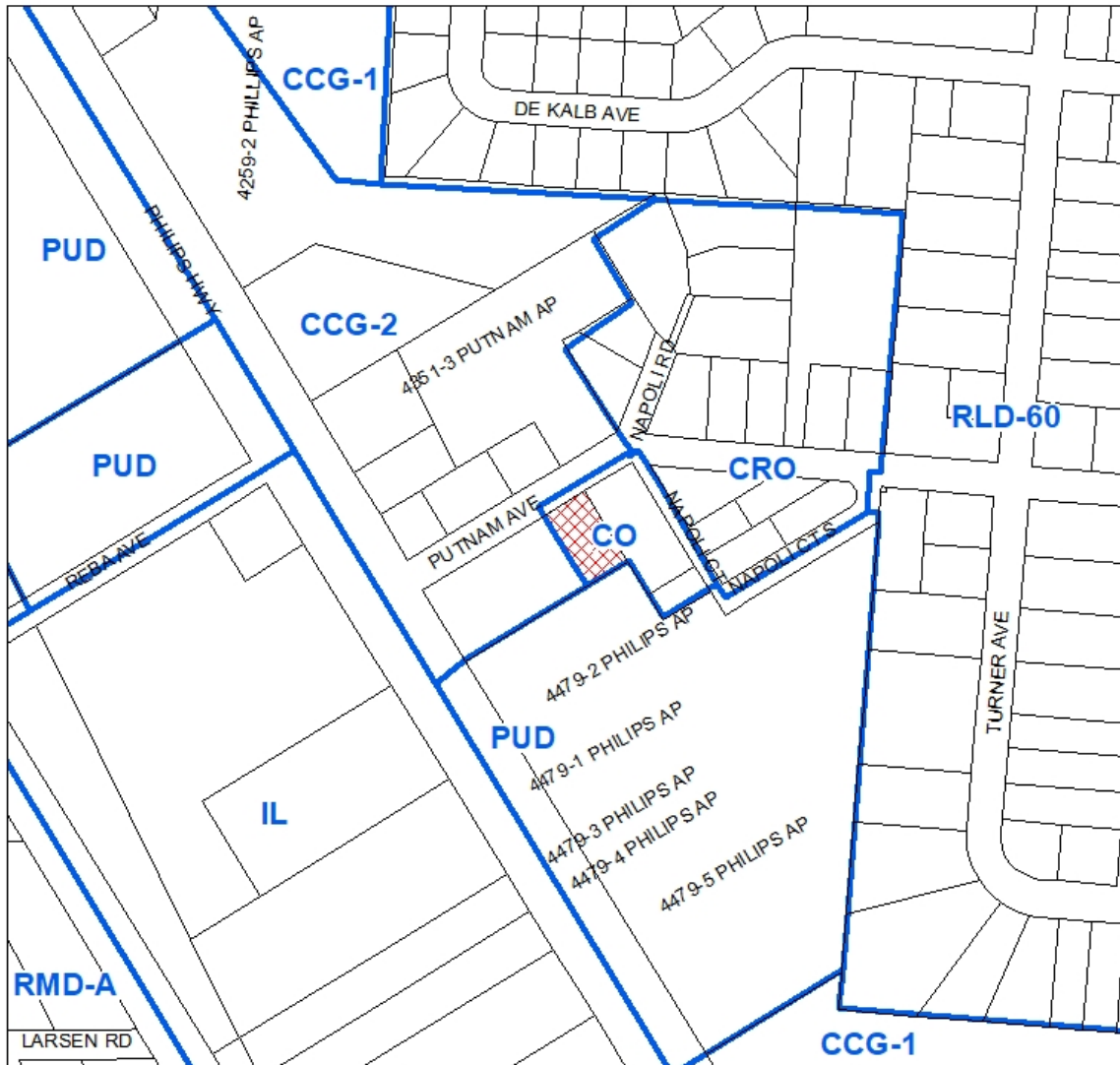
Source: Planning and Development

Date: November 17, 2023



View of adjacent parcel.

*Source: Planning and Development
Date: November 17, 2023*

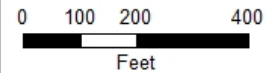
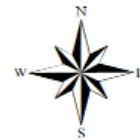
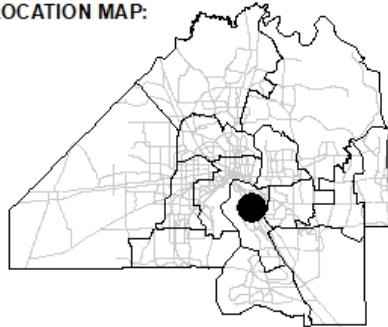


REQUEST SOUGHT:

FROM: **CO**

TO: **CCG-2**

LOCATION MAP:



COUNCIL DISTRICT:

5

TRACKING NUMBER

T-2023-5230

**EXHIBIT 2
PAGE 1 OF 1**

Legal Map

Source: JaxGIS

Date: November 13, 2023