



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

February 22, 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.: 2024-59**

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 was one speaker in opposition whose concern was with increasing traffic on New Berlin Road. There was little discussion among the Commissioners.

Planning Commission Vote: **6-0**

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

Jack Meeks

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
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2024-0059

FEBRUARY 22, 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 **2024-0059**.

<i>Location</i>	2604 New Berlin Road Between Lanier Road and Sapp Road
<i>Real Estate Number(s):</i>	106924-0010
<i>Current Zoning District:</i>	Residential Low Density-100A (RLD-100A)
<i>Proposed Zoning District:</i>	Commercial Office (CO)
<i>Current Land Use Category:</i>	Low Density Residential (LDR)
<i>Proposed Land Use Category:</i>	Residential Professional Institutional (RPI)
<i>Planning District:</i>	6 –North
<i>Planning District:</i>	District - 2
<i>Owner:</i>	Lonn Biastre 13573 Grover Road Jacksonville, FL 32226
<i>Agent:</i>	Josh Cockrell The Stellarea Group P.O. Box 28327 Jacksonville, FL 32226
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2024-0059** seeks to rezone approximately 1.00± acre of land from Residential Low Density-100A (RLD-100A) to Commercial Office (CO). There is a companion small-scale Land Use Amendment, seeking to amend the existing land use from Low Density Residential (LDR) to Residential-Professional-Institutional (RPI) under Ordinance **2024-0058/L-5898-23C**.

The site is located on the south side of New Berlin Road between Lanier Road and Sapp Road. The subject property contains a single family residence serviced by a well and septic system.

The applicant is proposing this change from Residential Low Density-100A (RLD-100A) to Commercial Office (CO) to allow the owner to use the property as low intensity business office space.

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 district consistent with the functional land use category identified in the 2045 Comprehensive Plan?

Yes. The 1.00-acre subject site is located on the south side of New Berlin Road, a collector roadway, between Dunn Creek Road and Sapp Road. The site is developed with a single-family residence on the property. 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 land to the north is largely single family residential. The property to the south and east is a church and further south and east continues to be Low Density Residential single-family homes. Abutting the property to the west is a single-family residence. Farther west is a commercial node at the intersection of Dunn Creek Road and Sapp Road.

According to the Category Description within the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Development Area is intended to provide for low density residential development. The predominant development typology in this category is single-family residential development supplied with full urban services. The maximum allowed density is 7 units per acre when full urban services are available.

RPI in the Suburban Development Area is intended to provide low to medium density development. Development which includes medium density residential and professional office uses is preferred. RPI designations are preferred in locations which are supplied with

full urban services and in locations which serve as a transition between commercial and residential land uses.

The proposed zoning change to CO is consistent with the proposed RPI land use category.

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

Yes. The proposed rezoning is consistent with the following Goals, Objectives, and Policies of the 2045 Comprehensive Plan, Future Land Use Element:

Policy 1.1.7

Gradual transition of densities and intensities between land uses in conformance with the provisions of this element shall be achieved through zoning and development review process.

There are commercial properties along this part of New Berlin Road and a church directly adjacent to the property. While there are several single-family dwellings on lots that are a half-acre and larger in the area nearby, a low intensity office use would provide a gradual transition between higher intensity uses like the church and adjacent single family homes.

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.

As mentioned above, the addition of office space will provide a balance of residential to non-residential uses along New Berlin Road and in the surrounding area.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of 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.

Evacuation Zone

The subject site is within Evacuation Zone D. As such, the land use application was routed to the City's Emergency Preparedness Division (EPD) for review and comment. EPD was provided with the land use application and the development potential of the proposed land

use amendment change. Per EPD’s attached memo, it was determined that the impact of the subject small scale land use amendment on countywide evacuation timing would be negligible. Their complete analysis is provided below.

The proposed property in land use amendment L-5898-23C will be in close proximity to New Berlin Road, indicating sufficient access to I-295 (4.45 road miles) and I-95 (3.99 road miles), primary evacuation routes.

In consideration of the surrounding evacuation zones (Zone D, Zone C, and Zone A), nearest evacuation routes, and the estimate of 54 - 665 additional daily trips the development of the proposed property could create a localized impact to the traffic flow on I-295 and I-95 during an emergency evacuation scenario. The changes proposed through land use amendment application L-5898-23C would have a minimal impact on countywide evacuation clearance time within Duval County. Site design techniques that minimize disruption to existing traffic flow are encouraged.

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. The subject property will meet the requirements of the CO zoning district as set forth in the Zoning Code.

SURROUNDING LAND USE AND ZONING

The subject property is located south of New Berlin Road and west of Yellow Bluff Road, a collector roadway. The proposed CO zoning district permits development well suited to the contiguous residential and non-residential development density as a transitional density. The area south of the subject lot is vacant and residential. Along the southern side of New Berlin there is a mix of commercial and residential present. If the applicant and owner are successful in rezoning this property to CO, there will be a gradual and compatible transition of uses. Surrounding land uses and zoning districts are as follows:

<u>Adjacent Property</u>	<u>Land Use Category</u>	<u>Zoning District</u>	<u>Current Use(s)</u>
North	LDR	RLD-100A	Single Family Dwellings
East	LDR	RLD-100A	Church
South	LDR	RLD-100A	Vacant/ SFD
West	LDR	RLD-100A	Single Family Dwellings

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on February 2, 2024 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 2024-0059 be **APPROVED**.



Source: JaxGIS Date: 2/2/2024

Aerial view of the subject property.



Source: Planning and Development Department 2/2/2024

View of subject property



Source: Google Street View Date: March 2022

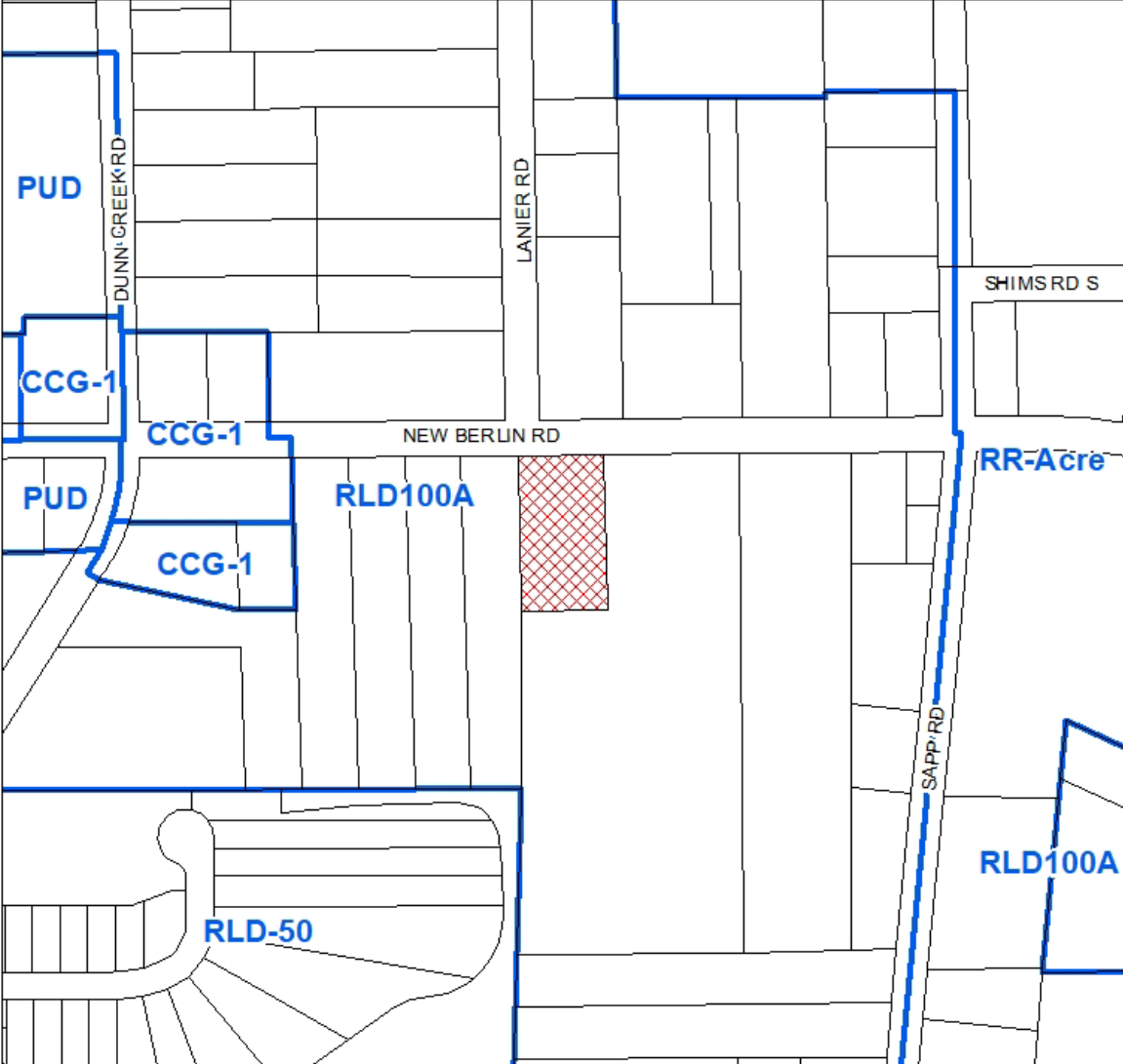
View of adjacent church property

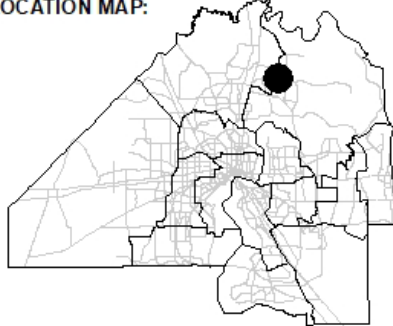
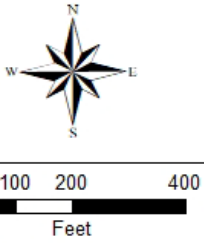


Source: Planning and Development Department Date: February 2, 2024
View of single family homes on opposite side of New Berlin Road from Subject property



Source: Planning and Development Department Date: February 2, 2024
Nearby Commercial node



<p>REQUEST SOUGHT:</p> <p>FROM: RLD100A</p> <p>TO: CRO</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>2</p>
<p>TRACKING NUMBER</p> <p>T-2023-5351</p>		<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map