

# City of Jacksonville, Florida

*Lenny Curry, Mayor*

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

June 16, 2021

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.: 2021-310**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan 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**

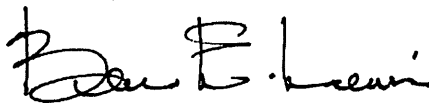
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	6-0
Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Absent
Ian Brown	Aye
Alex Moldovan	Aye
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 that reads "Bruce E. Lewis". The signature is written in a cursive style with a large, stylized initial "B".

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 2021-310**

**JUNE 17, 2021**

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 2021-310.

***Location:*** 5402 Moncrief Road West  
between Soutel Drive and Hull Street

***Real Estate Numbers:*** 041718-0000

***Current Zoning District:*** Commercial Office (CO)  
Commercial Neighborhood (CN)

***Proposed Zoning District:*** Commercial Community General – 1 (CCG-1)

***Current Land Use Category:*** Community / General Commercial (CGC)

***Planning District:*** Northwest, District 5

***Applicant/Agent:*** Paul M. Harden, Esquire  
1431 Riverplace Boulevard, Suite 901  
Jacksonville, Florida 32207

***Owner:*** Bret Elliott  
Plaza Street Fund 176, LLC  
2400 West 75<sup>th</sup> Street, Suite 2200  
Prairie Village, Kansas 66208

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

**GENERAL INFORMATION**

Application for Rezoning Ordinance 2021-310 seeks to rezone 0.29 acres from Commercial Office (CO) and Commercial Neighborhood (CN) to Community/Commercial General-1 (CCG-1). There is an existing approximately 5,000 square foot building constructed in 1957. The property owner also owns the contiguous parcel to the west that is zoned CCG-1. The owner requests the zoning to bring all parcels under the same zoning district.

## 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?***

Yes. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan. The CGC functional land use is a category was sought to provide for a variety of commercial retail and service establishment uses.

***2. Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?***

Yes. The proposed amendment is consistent with the following objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan:

**1.1.11** Encourage that new non-residential projects be developed in designated nodal and corridor development areas as provided in the Plan Category Descriptions of the Operative Provisions, in appropriate commercial infill locations, or as a Transit Oriented Development (TOD), as described in this element.

**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.

**3.2.2** The City shall promote, through the Land Development Regulations, infill and redevelopment of existing commercial areas in lieu of permitting new areas to commercialize.

**Policy 3.2.7:** The City shall implement the locational criteria of this element for commercial and industrial uses consistent with the character of the areas served, availability of public facilities, and market demands

This area is a mix of commercial, residential and institutional uses, at the intersection of Soutel Drive and Moncrief Road West. This intersection is an appropriate location for more intensive commercial uses.

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 is an appropriate location for more intensive commercial uses which are found in the proposed CCG-1 Zoning District

### SURROUNDING LAND USE AND ZONING

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

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	CGC	CCG-2	Walgreen's
East	CGC	CN	Harvey's grocery store
South	CGC	CO	Undeveloped
West	PBF	PBF-1	S.A. Hull Elem School

The property is a split parcel with a portion in the CO and CN Zoning Districts. The entire parcel is within the CGC land use category. The proposed rezoning, if approved, will bring the 0.29 acre subject property and the adjacent 0.35 acre parcel under a single CCG-1 Zoning District.

### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on June 4, 2021, the required Notice of Public Hearing sign was posted.



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2021-310** be **APPROVED**.



View of subject property



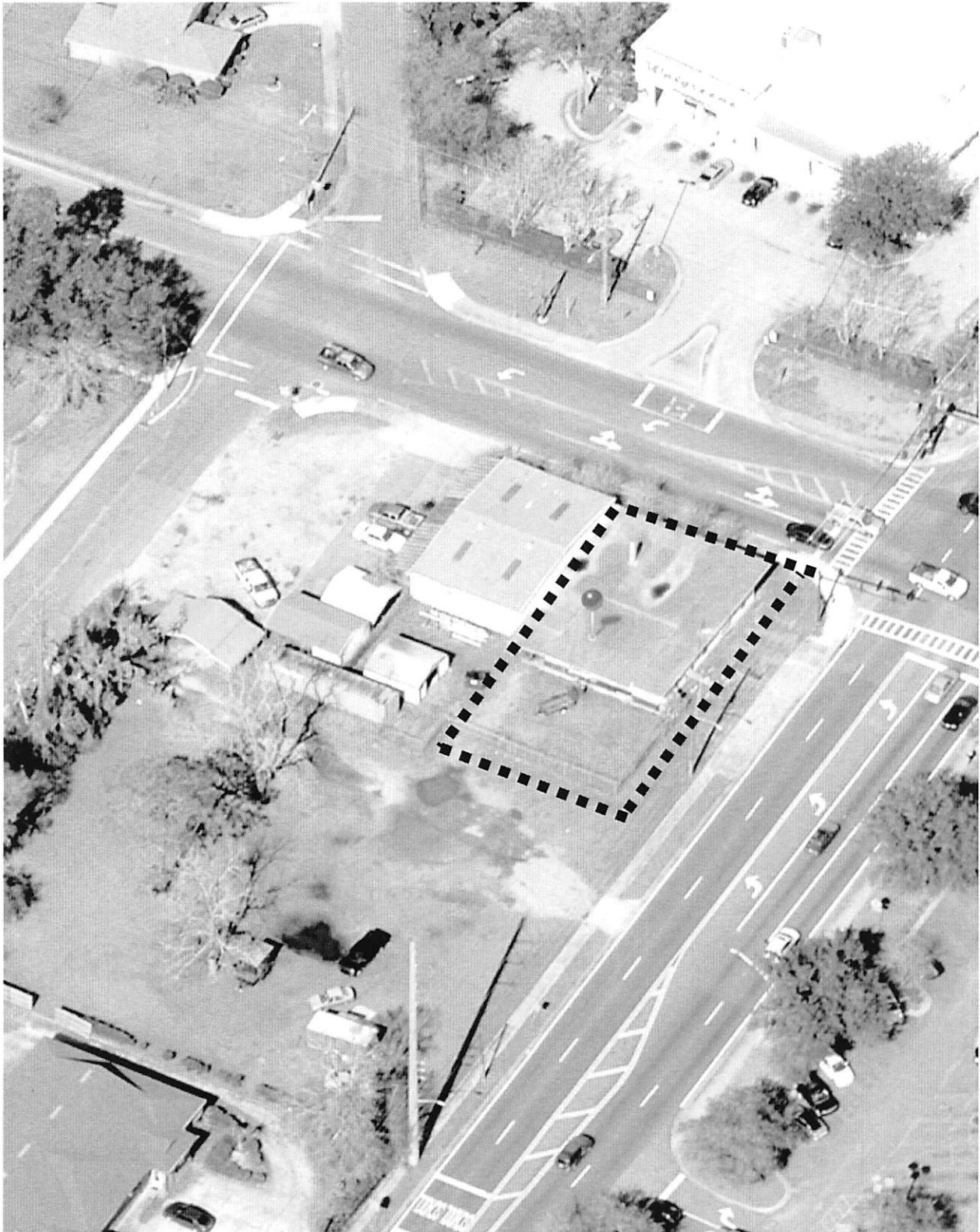
View of subject property



View of adjacent building zoned CCG-1

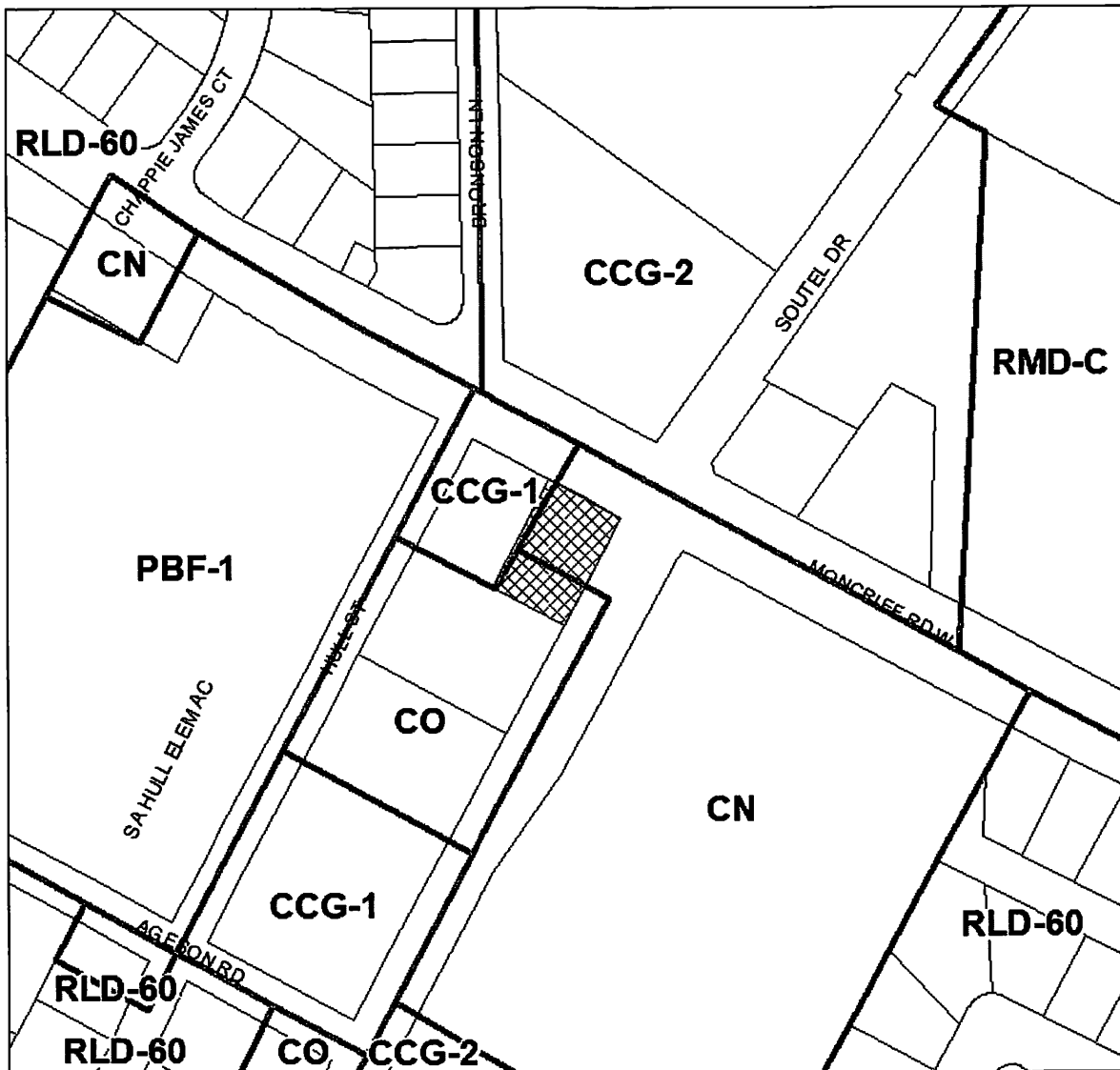


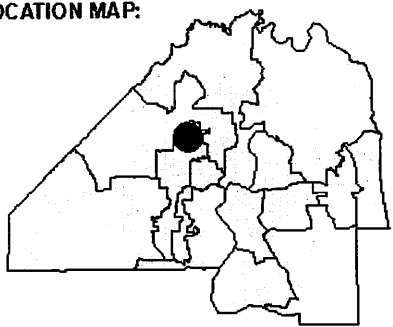
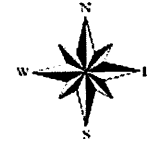
Commercial use across Moncrief Road



Aerial view of subject property





<p><b>REQUEST SOUGHT:</b></p> <p><b>FROM: CN &amp; CO</b></p> <p><b>TO: CCG-1</b></p>	<p><b>LOCATION MAP:</b></p> 	 <p>0 65 130 260 Feet</p> <p><b>COUNCIL DISTRICT:</b> 10</p>
<p><b>ORDINANCE NUMBER</b> ORD-2021-0310</p>	<p><b>TRACKING NUMBER</b> T-2021-3469</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 #** 2021-0310 **Staff Sign-Off/Date** BEL / 05/10/2021

**Filing Date** 05/19/2021 **Number of Signs to Post** 2

### Hearing Dates:

**1st City Council** 06/22/2021 **Planning Commission** 06/17/2021

**Land Use & Zoning** 07/20/2021 **2nd City Council** N/A

**Neighborhood Association** TROUT RIVER JAX, KINLOCK CIVIC ASSOC.

**Neighborhood Action Plan/Corridor Study** KING-SOUTEL CRA, KINGS-SOUTEL OVERLAY, LINCOLN SHERWOOD NAP

## Application Info

**Tracking #** 3469

**Application Status** PENDING

**Date Started** 04/08/2021

**Date Submitted** 04/08/2021

## General Information On Applicant

Last Name	First Name	Middle Name
HARDEN	PAUL	M.

**Company Name**  
LAW OFFICE OF PAUL M. HARDEN

**Mailing Address**  
1431 RIVERPLACE BLVD, SUITE 901

City	State	Zip Code
JACKSONVILLE	FL	32207

Phone	Fax	Email
9043965731		PAUL_HARDEN@BELLSOUTH.NET

## General Information On Owner(s)

### Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
ELLIOTT	BRET	A

**Company/Trust Name**  
PLAZA STREET FUND 176, LLC

**Mailing Address**  
2400 W 75TH ST., SUITE 220

City	State	Zip Code
PRAIRIE VILLAGE	KS	66208

Phone	Fax	Email

## 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 041718 0000	10	5	CN,CO	CCG-1

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

**Existing Land Use Category**

CGC

**Land Use Category Proposed?**

**If Yes, State Land Use Application #**

**Total Land Area (Nearest 1/100th of an Acre)** 0.29

**Justification For Rezoning Application**

TO MAKE THE ZONING DESIGNATION OF ALL LOTS WITHIN THE PARCEL NUMBERS CONSISTENT WITH THE EXISTING CCG-1 DESIGNATION.

**Location Of Property**

**General Location**

SWC OF MONCRIEF RD W & SOUTEL DR

House #	Street Name, Type and Direction	Zip Code
5402	MONCRIEF RD W	32219

**Between Streets**

SOUTEL DR and HULL ST

**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**  
      **0.29 Acres @ \$10.00 /acre: \$10.00**
- 3) Plus Notification Costs Per Addressee**  
      **14 Notifications @ \$7.00 /each: \$98.00**
- 4) Total Rezoning Application Cost: \$2,108.00**

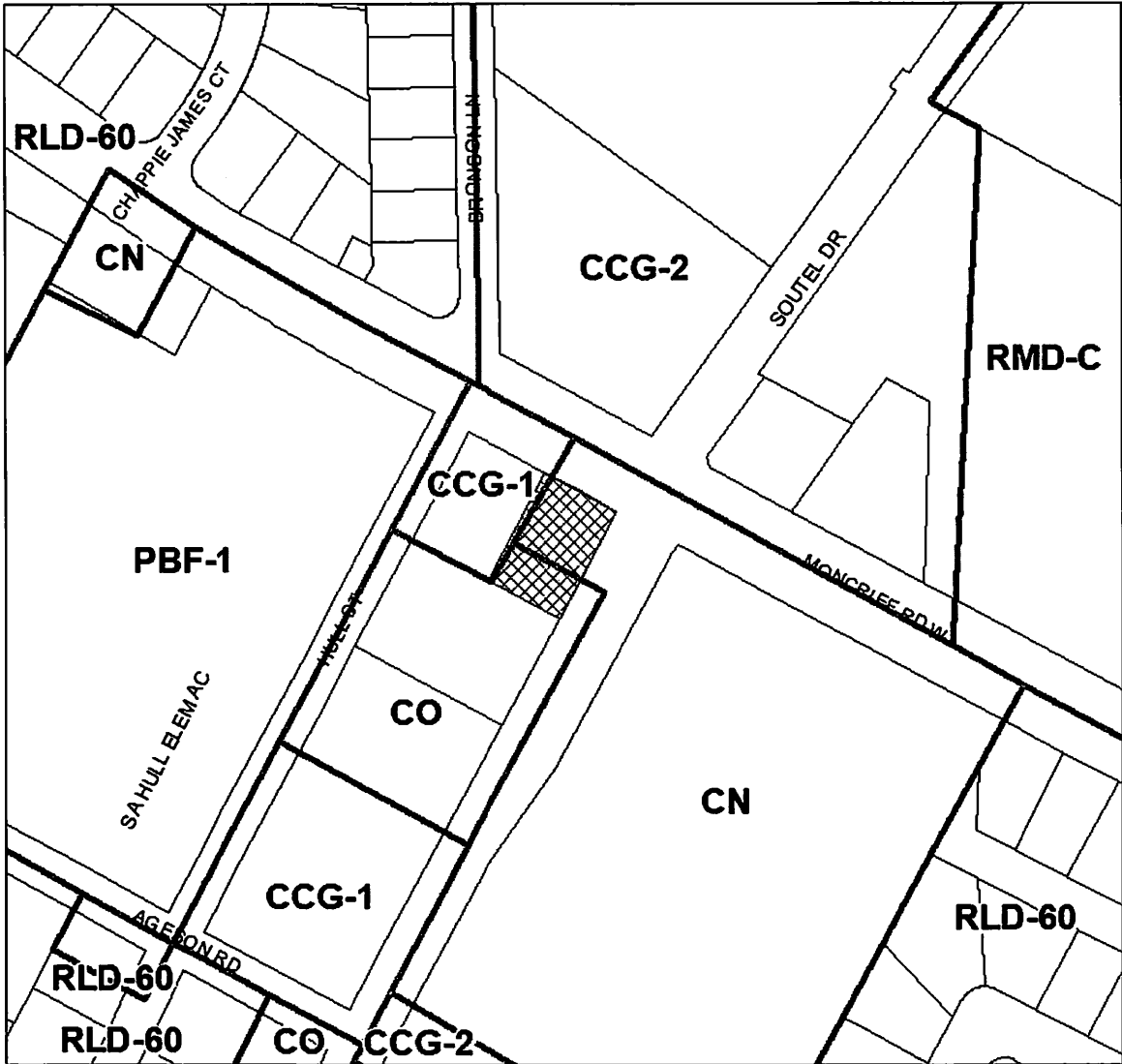
**NOTE: Advertising Costs To Be Billed to Owner/Agent**

## **Legal Description**

**April 6, 2021**

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**Lots 1, 2 and 6, Block A, Moncrief Terrace as Recorded in Plat Book 6, Page 47 of the Public Records of Duval County, Florida Excepting therefrom any part in Moncrief Road and/or Soutel Drive.**

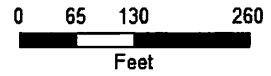
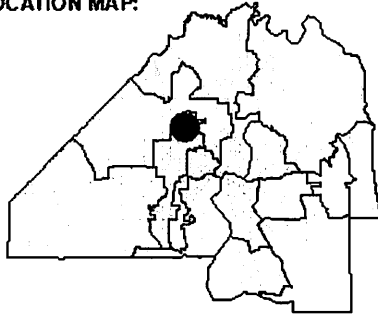


**REQUEST SOUGHT:**

**FROM:** CN & CO

**TO:** CCG-1

**LOCATION MAP:**



**COUNCIL DISTRICT:**

**10**

**TRACKING NUMBER**

**T-2021-3469**

**EXHIBIT 2  
PAGE 1 OF 1**