



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

November 9, 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.: 2023-705**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Planning and Development Department Recommendation: **Deny**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition The Commissioners found the site not suitable for residential development and does not represent commercial intrusion.

Planning Commission Vote: **9-0**

Charles Garrison, Chair	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Julius Harden	Aye
Mone Holder	Aye
Ali Marar	Aye
Mark McGowan	Aye
Jack Meeks	Aye
Tina Meskel	Aye

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 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
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Jacksonville, FL 32202
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO

APPLICATION FOR REZONING ORDINANCE 2023-0705

NOVEMBER 9, 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 **2023-0705**.

Location: 0 St. Augustine Road

Real Estate Number: 130411-0130; 130411-0120; 130411-0110

Current Zoning District: Residential Low Density-60 (RLD-60)

Proposed Zoning District: Industrial Business Park (IBP)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Business Park (BP)

Planning District: District 3—Southeast

Applicant/Agent: Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne, and Diebenow, PLLC
1 Independent Drive, Suite 1200
Jacksonville, FL 32202

Owner: T20 Holdings LLC
8600 NW 36 Avenue
Miami, FL 33147

Staff Recommendation: **DENY**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0705** seeks to rezone the vacant undeveloped 0.45-acre subject site that is located on the east side of St. Augustine Road, between Lorimier Road and St. Augustine Road. The applicant is seeking to rezone the three properties from RLD-60 to IBP in order to permit office and light warehousing on an urban infill lot. According to the City's Functional Highways Classification Map, St. Augustine Road is a collector roadway. The property is also located in the Urban Development Area as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

Additionally, this rezoning application, Ordinance 2023-0705, has two companion applications—a Land use Amendment (2023-0704) and an Administrative Deviation (2023-0706/AD-23-84). The Land-Use Amendment application is requesting a land-use change from Low Density Residential (LDR) to Business Park (BP), while the Administrative Deviation application is requesting multiple landscape deviations. If this rezoning application was approved, it would be seen as infringing upon both the residential properties to the west and the commercial properties to the east.

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. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds the subject property requests not to be in compliance with the 2045 Comprehensive Plan.

According to the Future Land Use Element (FLUE), Business Park (BP) is a category primarily intended to accommodate business offices and low intensity light industrial uses. Uses, with the exception of ancillary and accessory outside storage uses, shall be conducted within an enclosed building. Business offices should comprise the majority of the category land area, while service, major institutional and light industrial uses constitute the remaining land area. BP in the Urban Priority Area and the Urban Area is intended to provide compact medium to high intensity office development. Development which includes medium to high density residential uses is preferred for sites located outside of areas identified as an Industrial Sanctuary.

The subject site is currently vacant undeveloped land.

While the proposed zoning change to Industrial Business Park (IBP) is consistent with the proposed Business Park (BP) land use category, the department is not supporting the

rezoning application, ORD 2023-0705, the companion Land-Use Amendment application, ORD 2023-704 (L-5859-23C), or the Administrative Deviation application, ORD 2023-0706/AD-23-84, as it would be seen as infringing upon the residential properties to the west and the commercial properties to the east.

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

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

Future Land Use Element

Goal 1

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

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.

Policy 3.1.2

Protect neighborhoods from potential negative impacts by providing a gradation of uses and scale transition. The Land Development Regulations shall be amended to provide for an administrative process to review and grant, when appropriate, relief from the scale transition requirements.

The subject properties are surrounded by residential properties to the west in the Residential Low Density-60 (RLD-60) Zoning District and commercial properties to the east in the Community Commercial General-2 (CCG-2) Zoning District. This subject property would be seen as infringing upon both types of properties and would not be compatible with either type, if rezoned to IBP. Additionally, the subject site is between a railroad (the northern adjacent property) and a cemetery (the southern adjacent property).

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 LU Review of 2023-705 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.

Historic Preservation Element

Policy 1.2.2

The City shall continue to review new development for the potential of archeologically significant sites. The City shall utilize the most current version of the Archeological Sensitivity Predictive Model to identify areas of high probability for artifact concentrations.

Policy 1.2.5

The Planning and Development Department shall maintain and update for planning and permitting purposes, a series of GIS data layers and maps depicting recorded archaeological sites, historic districts and local landmarks.

Airport Environment Zone

The site is located within the 300-foot Height and Hazard Zone for the Naval Air Station Jacksonville. Zoning will limit development to a maximum height of 300 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

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

Yes. The proposed rezoning is in conflict with portions of the City's land use regulations. If approved by the Planning and Development Department, the subject property could be rezoned from RLD-60 to IBP to permit office and warehousing uses.

SURROUNDING LAND USE AND ZONING

The 0.45-acre subject site is located on the east side of St. Augustine Road, between Lorimier Road and St. Augustine Road. The property is adjacent to many single-family dwellings and a cemetery within the residential zoning district; while the commercial district is comprised of vacant governmental, a railroad, and an apartment complex (the future San Marco Loft complex). The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR; LI; CGC	RLD-60; IL; CCG-2	Single Family Dwellings; Vehicle Used Sales; Railroad
South	LDR	RLD-60	Cemetery; Single Family Dwellings; Railroad
East	CGC	CCG-2	Vacant Governmental; Railroad; Apartments
West	LDR	RLD-60	Service Garage/Vehicle Repair

The Planning and Development Department finds that the requested rezoning to IBP would not be consistent and compatible with the surrounding uses.

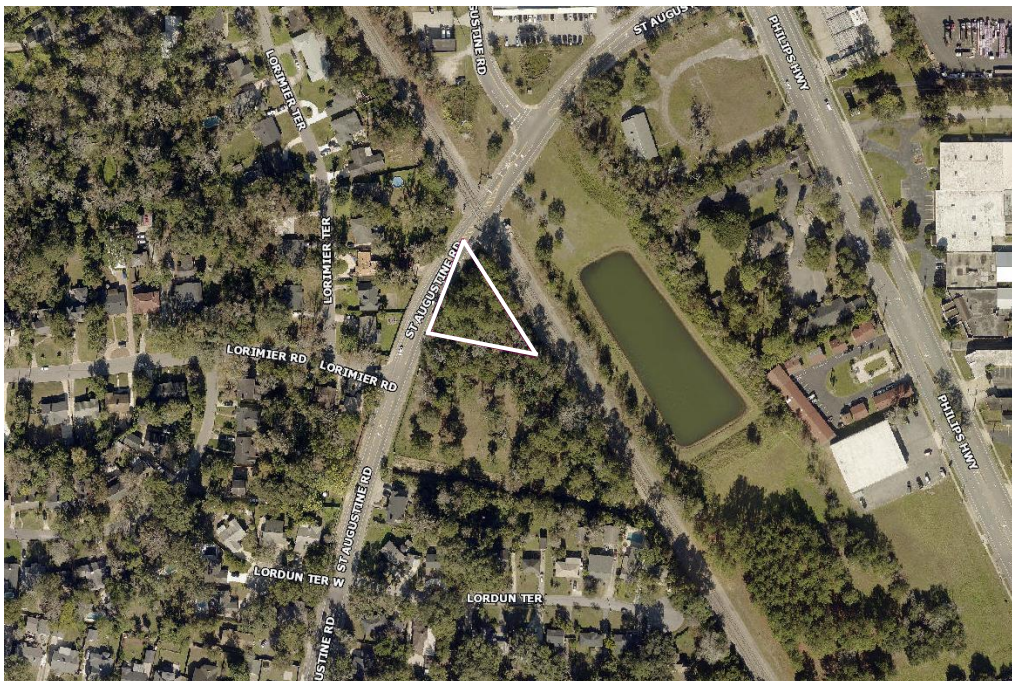
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on October 24, 2023 by the Planning and Development Department, 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 **2023-0705** be **DENIED**.



Aerial View



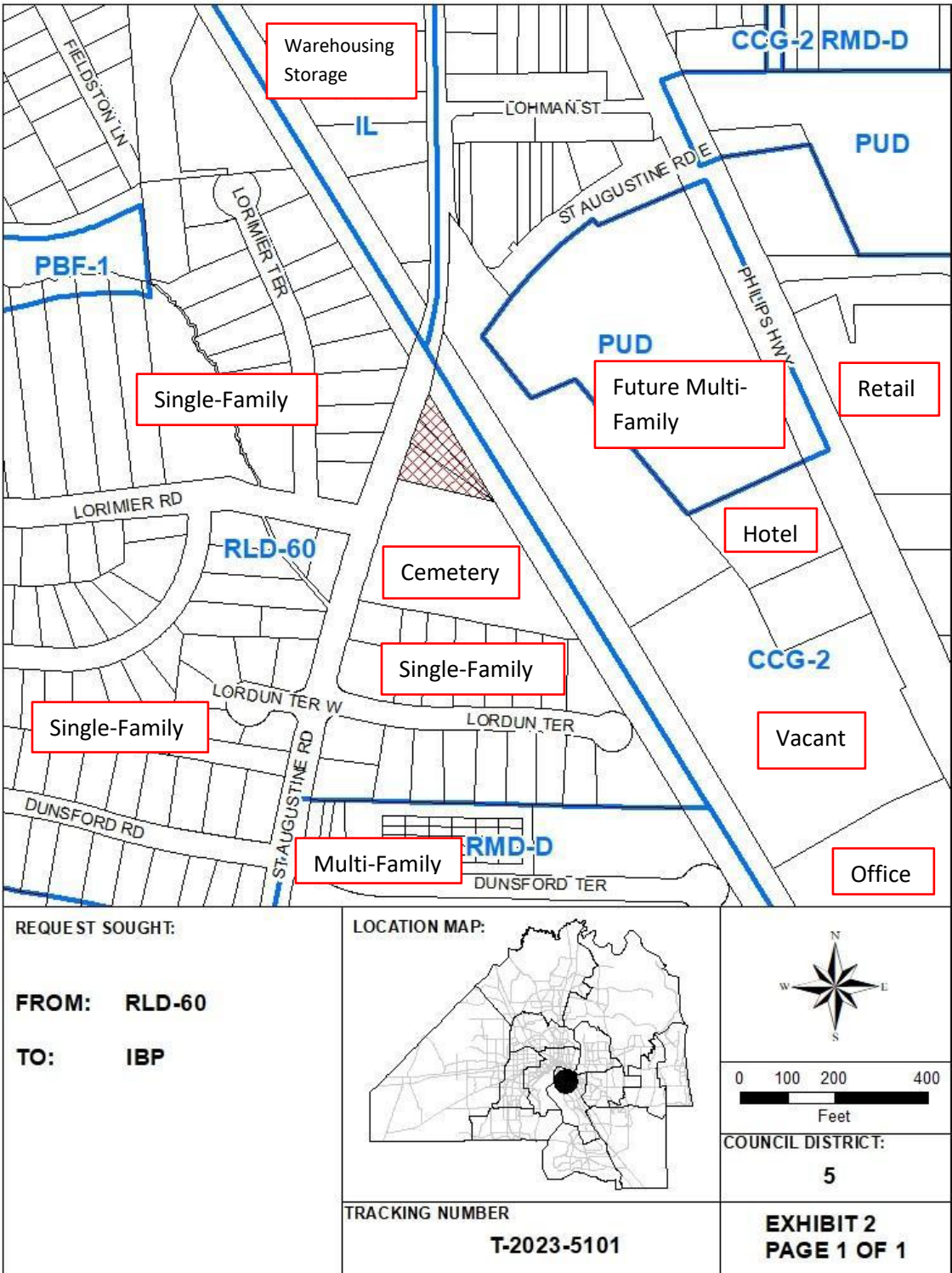
Source: Planning & Development Department, 10/24/2023
View of Subject Property.



Source: Planning & Development Department, 10/24/2023
View of property, facing northeast, toward the CCG-2 Zoning District.



Source: Planning & Development Department, 10/24/2023
View of property, facing southwest, toward the RLD-60 Zoning District.



Legal Map
Source: JaxGIS Map