

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

February 4, 2021

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2021-8**

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**

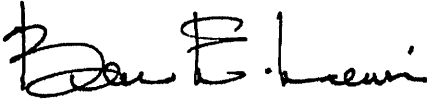
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

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, appearing to read "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
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 2021-0008

FEBRUARY 4, 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 2021-0008.

Location: 545 Eastport Road
Between Aaron Road and Charlie Road

Real Estate Number(s): 109538-0000

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

Proposed Zoning District: Residential Office (RO)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Residential-Professional-Institutional (RPI)

Planning District: North, 6

Owner: Jacksonville Northside Lions Club, Inc.
545 Eastport Road
Jacksonville, Florida. 32218

Applicant: Cyndy Trimmer
Driver, McAfee, Hawthorne and Diebenow,
PLLC
1 Independent Drive, Suite 1200
Jacksonville, Florida. 32202

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2021-0008 seeks to rezone approximately 0.67+/- acres of land from Residential Low Density-60 (RLD-60) to Residential Office (RO) in order to permit an accounting office. A companion Land Use Amendment 2021-0007 has been applied to change the existing Land Use of Low Density Residential (LDR) to Residential-Professional-Institutional (RPI).

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 subject site is located at 545 Eastport Road and has frontage on Aaron Road. According to the Functional Highway Classification Map, Eastport Road is a collector roadway and Aaron Road is a local roadway. The application site is within the LDR current land use category, Suburban Development Area, Planning District 6 and Council District 7. A companion land use amendment to RPI per Ordinance 2021-007 is being sought.

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 uses. The predominant development typology in this category is single-family residential development.

RPI in the Suburban Development Area is intended to provide compact low to medium density development. Development which includes medium density residential and professional office uses is preferred. Limited commercial retail sales and service establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicle Miles Traveled. Single-use developments shall be limited to residential or office and mixed use developments may not include more than 90 percent of any individual use. Plan amendment requests for new 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.

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

Yes. This proposed rezoning to RO is consistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element:

Policy 1.1.10 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.

The proposed rezoning would allow a professional office use to encroach into a residentially zoned area. However, the proposed residential office zone was created in order to maintain a residential character while allowing the single commercial use of a professional office. The proposed rezoning will still allow for single family dwellings, but will lower the minimum required width and lot size.

Policy 1.2.9 Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

According to the JEA Letter provided by the applicant dated November 3, 2020, the subject site has access to both water and sewer connections under Eastport Road.

SURROUNDING LAND USE AND ZONING

The immediate area surrounding the subject parcel is developed as a residential area with the majority of properties falling under the Residential Low Density Category. The surrounding uses, land use category and zoning are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single Family Dwelling
South	LDR	RLD-60	Single Family Dwellings/ Train Track
East	LDR	RLD-60	Single/Multi – Family Dwellings
West	LDR	RLD-60	Single Family Dwelling

SUPPLEMENTAL INFORMATION

Upon visual inspection by the assigned City Planner on January 21, 2021 the required Notice of Public Hearing sign was posted.



Source: Planning and Development
Date: January 21, 2020

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning 2021-0008 be **APPROVED**.



Aerial Photo

Source: JaxGIS
Date: January 21, 2021



View looking towards the Subject Property.

Source: Planning and Development

Date: January 21, 2021



View of the residential property to the west of the Subject Site

Source: Planning and Development

Date: January 21, 2021



View of the residential property to the north of the Subject Site

Source: Planning and Development

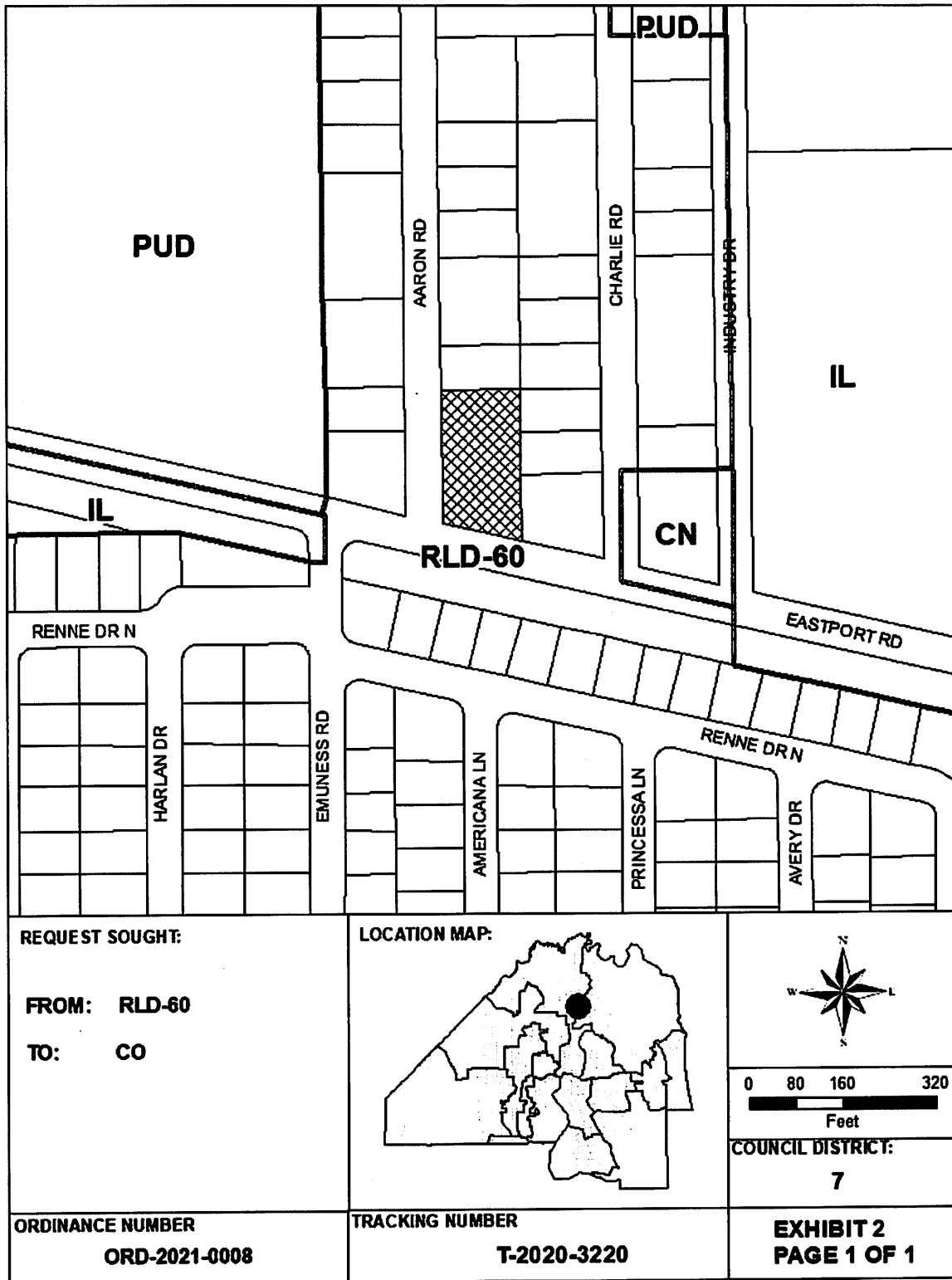
Date: January 21, 2021



View of the residential property to the east of the Subject Site

Source: Planning and Development

Date: January 21, 2021



Legal Map

Source: JaxGIS
Date: January 21, 2021

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0008 Staff Sign-Off/Date CMC / 12/22/2020
 Filing Date 01/08/2021 Number of Signs to Post 3
 Hearing Dates:
 1st City Council 02/09/2021 Planning Commission 02/04/2021
 Land Use & Zoning 02/17/2021 2nd City Council 02/23/2021
 Neighborhood Association M&M DAIRY INC; THE EDEN GROUP INC.
 Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3220 Application Status FILED COMPLETE
 Date Started 10/28/2020 Date Submitted 10/28/2020

General Information On Applicant

Last Name First Name Middle Name
 TRIMMER CYNDY
 Company Name
 DRIVER, MCAFEE, HAWTHORNE AND DIEBENOW, PLLC
 Mailing Address
 1 INDEPENDENT DRIVE, SUITE 1200
 City State Zip Code
 JACKSONVILLE FL 32202
 Phone Fax Email
 9048070185 904 CKT@DRIVERMCAFFEE.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name First Name Middle Name
 N/A N/A
 Company/Trust Name
 JACKSONVILLE NORTHSIDE LIONS CLUB, INC.
 Mailing Address
 545 EASTPORT ROAD
 City State Zip Code
 JACKSONVILLE FL 32218
 Phone Fax Email
 9043011269

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 109538 0050	7	6	RLD-60	RO

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

Existing Land Use Category

LDR

Land Use Category Proposed?

If Yes, State Land Use Application #

5496

Total Land Area (Nearest 1/100th of an Acre) 0.76

Justification For Rezoning Application

APPLICANT SEEKS TO REZONE THE PROPERTY TO PERMIT OPERATION OF AN ACCOUNTING OFFICE.

Location Of Property

General Location

NORTHEAT CORNER OF EASTPORT RD AND AARON RD

House # Street Name, Type and Direction Zip Code
 545 EASTPORT RD 32218

Between Streets

AARON RD

and CHARLIE RD

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
0.76 Acres @ \$10.00 /acre: \$10.00

3) Plus Notification Costs Per Addressee
Notifications @ \$7.00 /each:

4) Total Rezoning Application Cost:

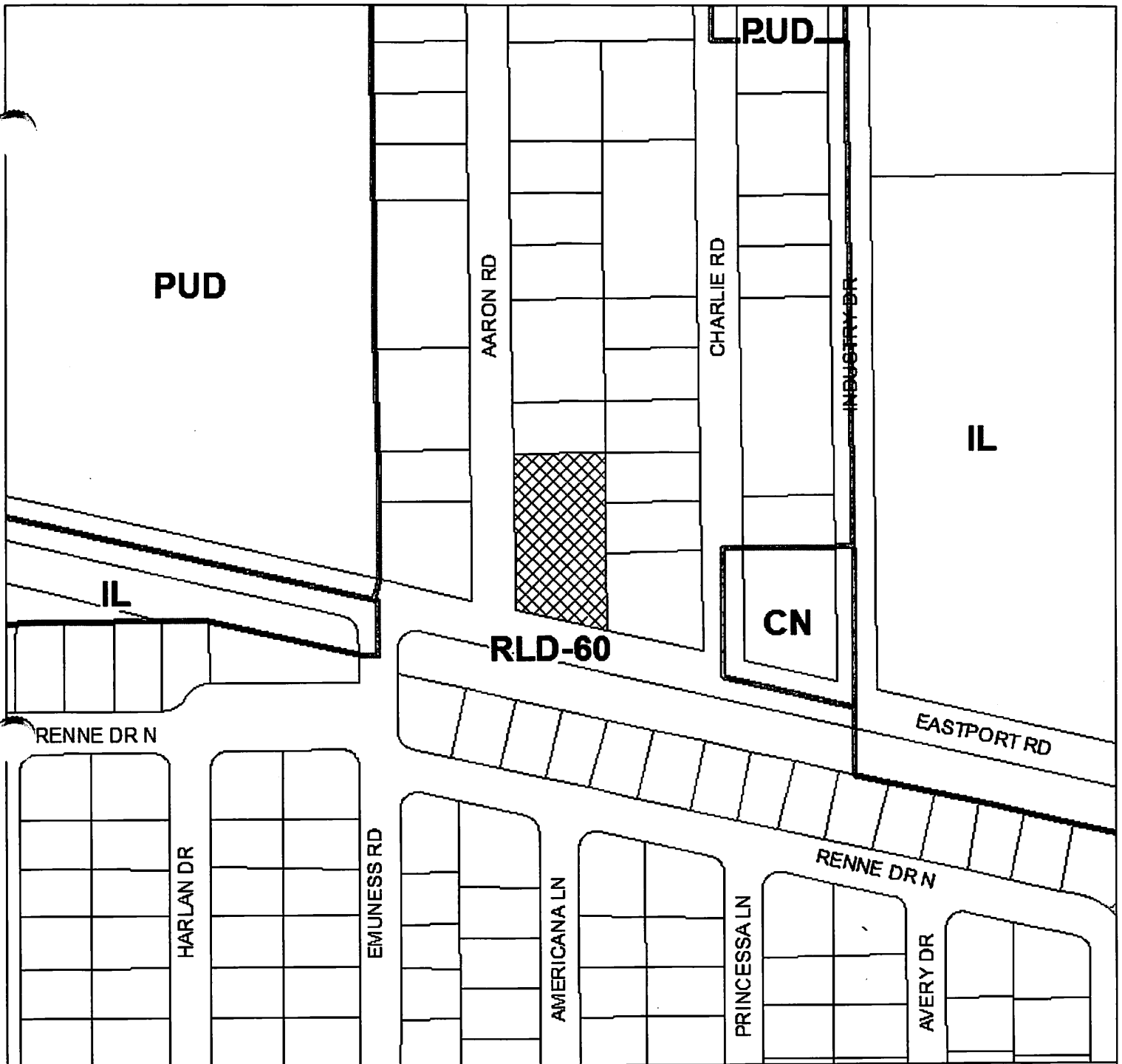
NOTE: Advertising Costs To Be Billed to Owner/Agent

LEGAL DESCRIPTION

October 6, 2020

A part of Section Fifteen (15), of a Subdivision of John Broward Grant, in Section Forty-six (46), Township One (1) South, Range Twenty-seven (27) East, Duval County, Florida, being more particularly described as follows:

Begin at the intersection of the East line of Aaron Road (a 60 foot right of way) and the Northeasterly right of way line of Eastport Road (a 50 foot right of way); thence North Zero (00) degree, Four (04) minutes West along said East right of way line, Two Hundred Thirty-four and Seventy-six Hundredths (234.76) feet to the Southwest corner of lands described in Official Records Volume 1154, page 485; thence North Eighty-nine (89) degrees, Forty-three (43) minutes, Fifteen (15) seconds East along the South line of lands described in said Deed, One Hundred Thirty-five and Sixty-nine Hundredths (135.69) feet to the Southeast corner of lands described in said Deed; thence South Zero (00) degrees, Four (04) minutes East, Two Hundred Sixty-seven and Fifty-eight Hundredths (267.58) feet to a point in said Northeasterly right of way line; thence North Seventy-six (76) degrees, Forty-one (41) minutes West, One Hundred Thirty-nine and Forty-eight Hundredths (139.48) feet to the point of beginning.

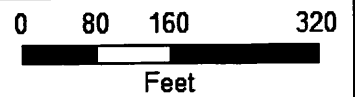
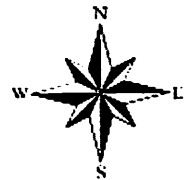
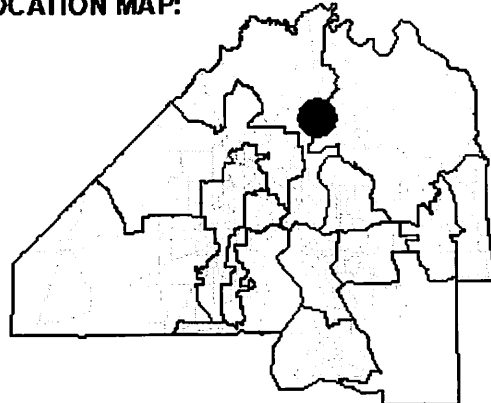


REQUEST SOUGHT:

FROM: RLD-60

TO: CO

LOCATION MAP:



COUNCIL DISTRICT:

7

TRACKING NUMBER

T-2020-3220

**EXHIBIT 2
PAGE 1 OF 1**