

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

December 3, 2020

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.: 2020-686**

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**

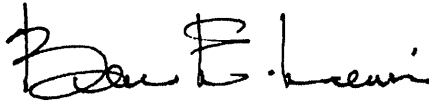
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 7-0

Joshua Garrison, Chair	Aye
Dawn Motes, Vice Chair	Absent
David Hacker, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
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 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 FO

APPLICATION FOR REZONING ORDINANCE 2020-0686

DECEMBER 3, 2020

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 2020-0686.

Location: 2857 Mya Street; Between Dellwood Avenue and Willow Branch Avenue

Real Estate Number: 062998 0000

Current Zoning District: Commercial Community/General (CCG-2)

Proposed Zoning District: Residential Medium Density-A (RMD-A)

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

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: District 5 – Northwest

Applicant/Agent: Evelyn Georgieva
4401 Sepulveda Boulevard, #302
Shermanoaks, CA 91403

Owner: Ivelina Georgieva and Kaloyan Atanasov
4401 Sepulveda Boulevard, #302
Shermanoaks, CA 91403

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2020-0686 seeks to rezone 0.18± acres of land from Commercial Community/General-2 (CCG-2) to Residential Medium Density-A (RMD-A). The request is being sought to bring the property into compliance and permit the applicant to finance the property. The property is zoned as CCG-2, however, the property is a single family home that has been there since 1940. Under the current zoning district, the house is considered a legally non-conforming use. Staff also notes a companion Small Scale Land Use Amendment L-5446-20C (Ordinance 2020-0685) that seeks to amend the land use from Community/General Commercial (CGC) to Medium Density Residential (MDR).

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. 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 that with the approval of companion Small Scale Land Use Amendment L-5446-20C (**Ordinance 2020-0685**), the subject property will be located in the Medium Density Residential (MDR) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

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

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. According to the Category Description of the FLUE, the Medium Density Residential (MDR) land use category is a category intended to provide compact medium to high-density residential development and transitional uses between low-density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element (FLUE):

Objective 3.1

Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for

the citizens. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the 2030 Comprehensive Plan and Land Development Regulations.

The proposed rezoning at the subject site would help to protect single family residential neighborhoods by bringing the property into compliance and compatible with the surrounding residential properties.

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. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from CCG-2 to RMD-A in order for the property to be in compliance with the current Zoning Code.

SURROUNDING LAND USE AND ZONING

The subject property is located between Dellwood Avenue and Willow Branch Avenue. This segment of land contains a mixture of medium density lot sizes. The proposed rezoning to RMD-A would complement the abutting residential lots to the north of the subject property. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	MDR	RMD-A	Single-Family Dwellings
East	MDR	RMD-A	Single-Family Dwellings
South	CGC	CCG-2	Vacant Commercial
West	CGC	CCG-2	Parking Lot

It is the opinion of the Planning and Development Department that the requested rezoning to RMD-A will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **November 19, 2020** by the Planning and Development Department, 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 2020-0686 be **APPROVED**

Figure A:



Source: Planning & Development Dept, 11/24/2020

Aerial view of the subject site and parcel, facing north.

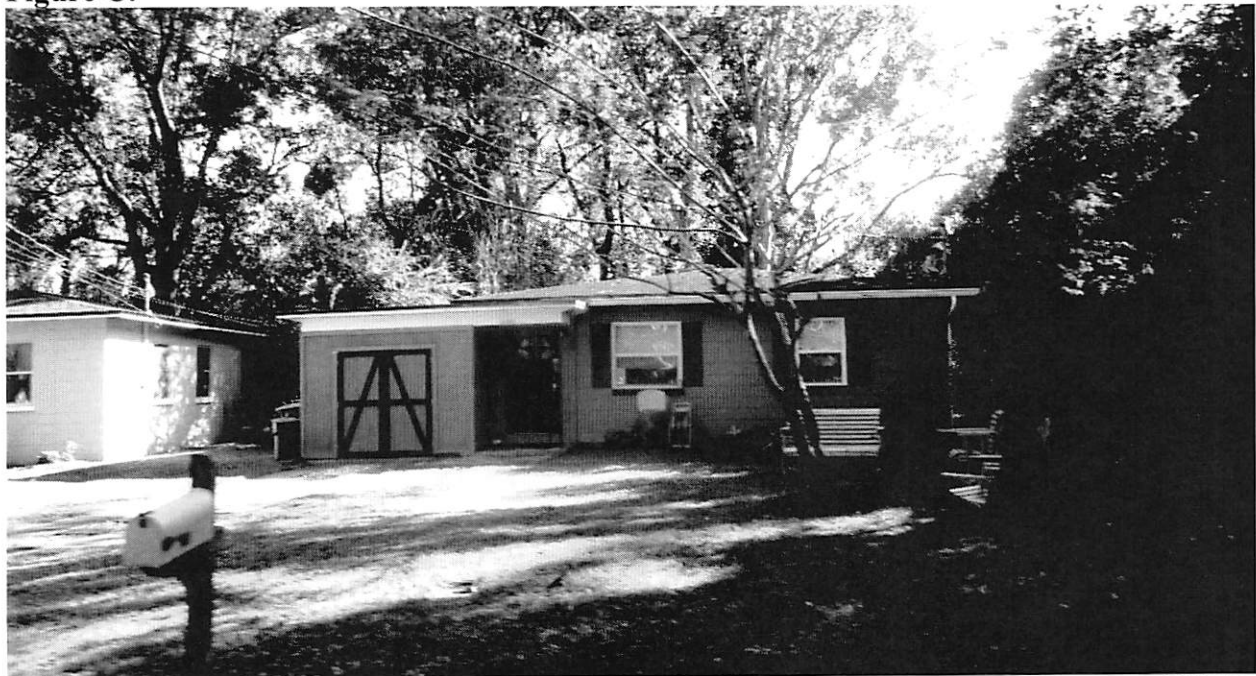
Figure B:



Source: Planning & Development Dept, 11/18/20

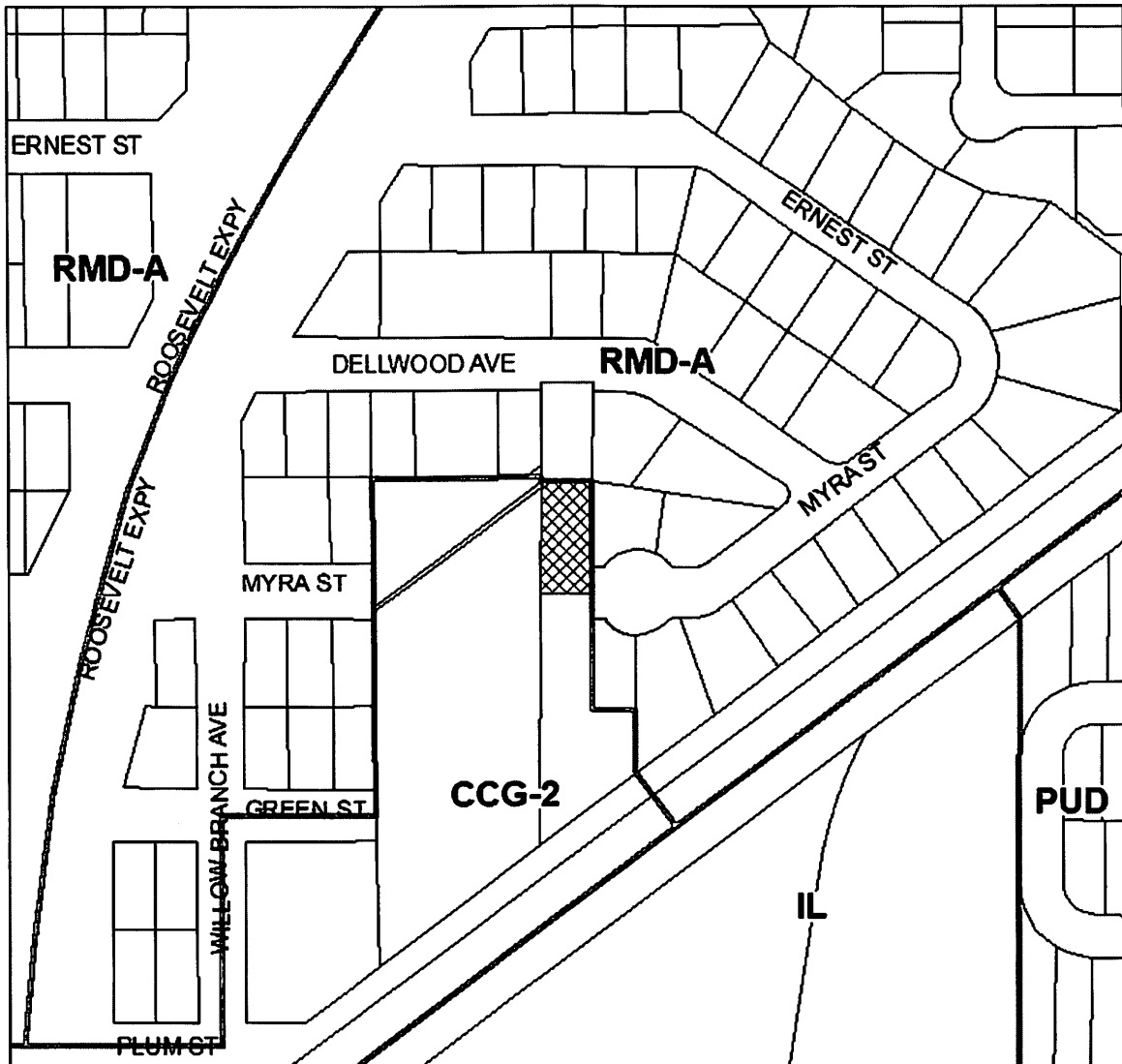
View of the subject property.

Figure C:



Source: Planning & Development Dept, 11/18/20

View of neighboring property, east of the subject property, zoned as RMD-A.



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-2</p> <p>TO: RMD-A</p>	<p>LOCATION MAP:</p>	<p>COUNCIL DISTRICT:</p> <p>9</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2020-0686</p>	<p>TRACKING NUMBER</p> <p>T-2020-3152</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2020-0686 **Staff Sign-Off/Date** KPC / 10/26/2020
Filing Date 11/04/2020 **Number of Signs to Post** 1
Hearing Dates:
1st City Council 12/08/2020 **Planning Commission** 12/03/2020
Land Use & Zoning 01/05/2021 **2nd City Council** N/A
Neighborhood Association MURRAY HILL
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 3152 **Application Status** FILED COMPLETE
Date Started 09/28/2020 **Date Submitted** 09/29/2020

General Information On Applicant

Last Name GEORGIEVA **First Name** EVELYN **Middle Name**
Company Name
Mailing Address
 4401 SEPULVEDA BLVD
City SHERMANOAKS **State** CA **Zip Code** 91403
Phone 5623100495 **Fax** **Email** EVELYN@EVELYNHOME.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name GEORGIEVA **First Name** IVELINA **Middle Name**
Company/Trust Name
Mailing Address
 4401 SEPULVEDA BLVD #302
City SHERMANOAKS **State** CA **Zip Code** 91403
Phone 5623100495 **Fax** **Email** EVELYN@EVELYNHOME.COM

Last Name ATANASOV **First Name** KALOYAN **Middle Name**
Company/Trust Name
Mailing Address
 4401 SEPULVEDA BLVD #302
City SHERMANOAKS **State** CA **Zip Code** 91403
Phone **Fax** **Email**

5626856752

KATANASOFF@GMAIL.COM

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 062998 0000	9	5	CCG-2	RMD-A

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) 0.18

Justification For Rezoning Application

THE SUBJECT PROPERTY IS A SINGLE-FAMILY HOME, ZONED COMMERCIAL COMMUNITY GENERAL-2 (CCG-2) AND HAS BEEN ZONED COMMERCIAL SINCE 1969. SOMETIME AFTER THE HOUSE WAS BUILT IN 1940, THE ZONING CHANGED TO COMMERCIAL. THE HOUSE IS CONSIDERED A LEGAL NON-CONFORMING USE. WE WOULD LIKE TO UPDATE ZONING, SO THAT THE PROPERTY IS BANK-FINANCEABLE AND ITS CONSISTENT ACROSS THE BOARD - RESIDENTIAL PROPERTY WITH RESIDENTIAL ZONING.

Location Of Property

General Location

DUVAL COUNTY

House #	Street Name, Type and Direction	Zip Code
2857	MYRA ST	32205

Between Streets

DELLWOOD AVE and WILLOW BRANCH

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

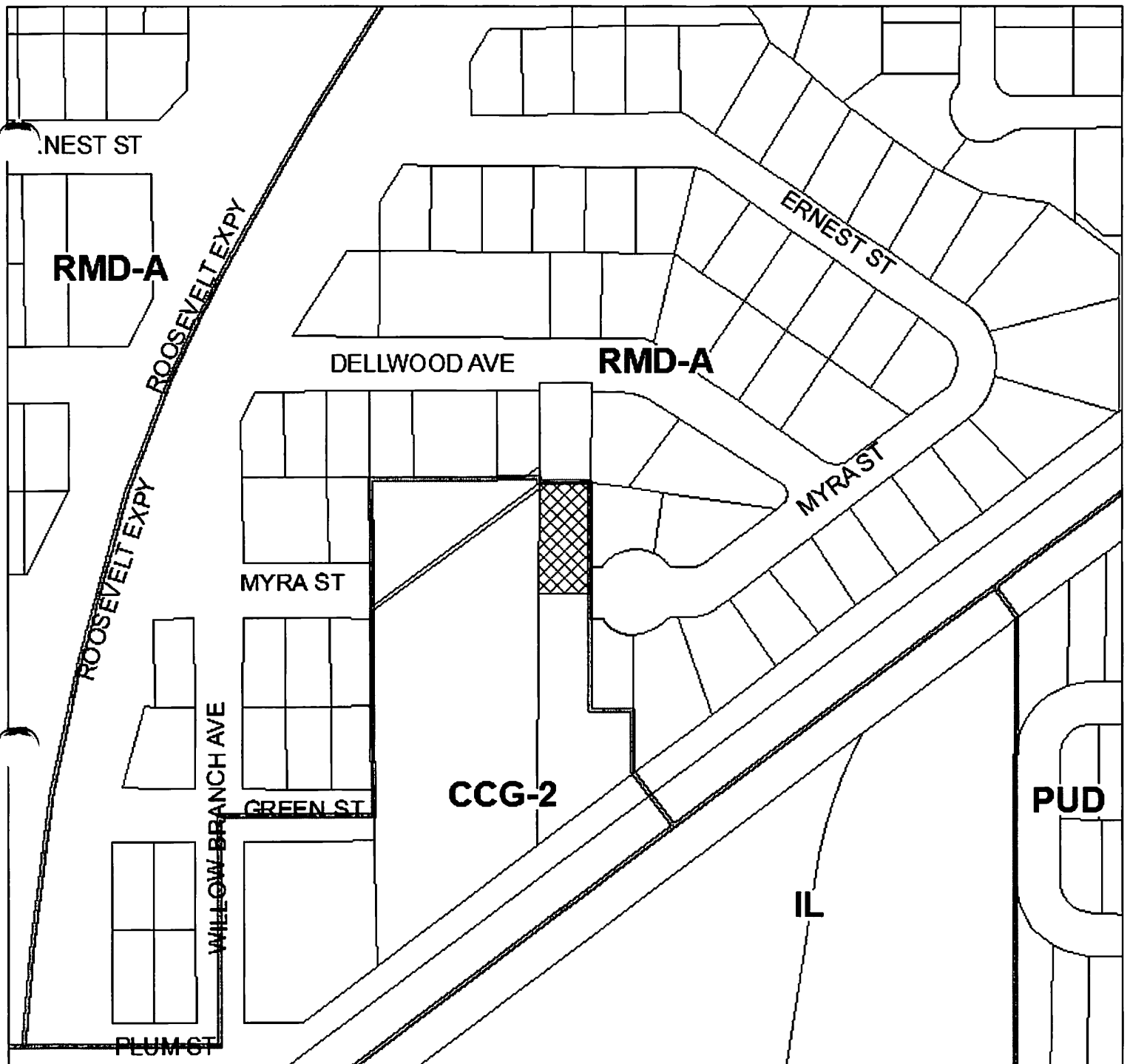
Filing Fee Information

- 1) Rezoning Application's General Base Fee: \$2,000.00**
- 2) Plus Cost Per Acre or Portion Thereof**
 0.18 Acres @ \$10.00 /acre: \$10.00
- 3) Plus Notification Costs Per Addressee**
 47 Notifications @ \$7.00 /each: \$329.00
- 4) Total Rezoning Application Cost: \$2,339.00**

NOTE: Advertising Costs To Be Billed to Owner/Agent

LEGAL DESCRIPTION

PART OF THE SOUTHWEST (1/4) OF THE NORTHEAST (1/4) OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 26 EAST, JACKSONVILLE, DUVAL COUNTY, FLORIDA,
BEING A PART OF LAND DESCRIBED IN DEED BOOK 33, PAGE 246, AND
DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON AT THE INTERSECTION OF
THE LINE BETWEEN LOTS 1 AND 4, BLOCK 3, CHEROKEE HEIGHTS ADDITION,
PLAT BOOK 22, PAGE 66, WITH THE WEST LINE OF BLOCK 3; THENCE SOUTH
00°45'30" WEST, 131.54 FEET TO AN IRON; THENCE SOUTH 88°48'00" WEST, 59.96
FEET TO AN IRON; THENCE NORTH 00°16'40" EAST, 131.54 FEET TO AN IRON;
THENCE NORTH 88°48'00" EAST, 59.44 FEET TO THE POINT OF BEGINNING.

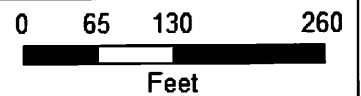
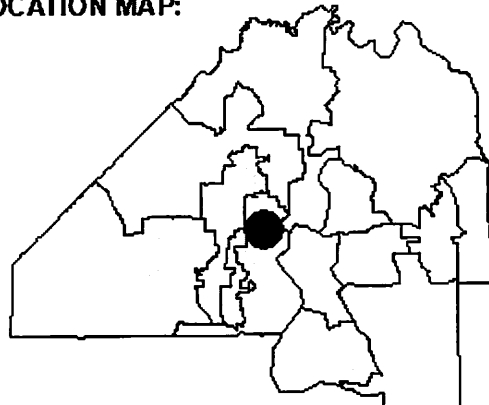


REQUEST SOUGHT:

FROM: CCG-2

TO: RMD-A

LOCATION MAP:



COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2020-3152

EXHIBIT 2
PAGE 1 OF 1