

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

March 23, 2023

The Honorable Terrance Freeman, 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.: 2023-0118**

Dear Honorable Council President Freeman, 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: **Deny**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition. Commissioner member discussion focused on the following topics:

- 1.) Parking will be provided on-site pursuant to the code
- 2.) The need for housing variety in the City is being addressed
- 3.) The JTA Service distance requirement of the Comprehensive Plan should not hinder new development

Planning Commission Vote: **8-0 Approve**

Alex Moldovan, Chair Aye

Ian Brown, Vice Chair Aye

Jason Porter, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

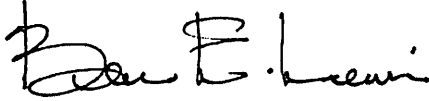
Jordan Elsbury Aye

Joshua Garrison Aye

David Hacker 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 FOR
APPLICATION FOR REZONING ORDINANCE 2023-118

MARCH 23, 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 **2023-118**.

Location: Southeast quadrant of Charing Street and Salisbury Road

Real Estate Number(s): 152850-0000, 152850-0020

Current Zoning District(s): Industrial Business Park (IBP)

Proposed Zoning District: Residential High Density-B (RHD-B)

Current Land Use Category: Business Park (BP)

Proposed Land Use Category: High Density Residential (HDR)

Planning District: Southeast, District 3

Applicant/Agent: Jorge A. Suazo
PSG Group, LLC
10435 Midtown Parkway, Unit 413
Jacksonville Florida 32246

Owner: Alliya Maqsood
4466 Swilcan Bridge Lane North
Jacksonville Florida 32224

Staff Recommendation: **DENY**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-118** seeks to rezone 2.97 acres of land from the IBP Zoning District to the RHD-B Zoning District. If approve, the development will be allowed a maximum of 176 dwelling units. The site was the subject of rezoning Ordinance 2005-688 which approved the rezoning of the one (1) acre property from RMD-E to IBP as well as the companion Small Scale Land Use Amendment 2005C-006 (Ordinance 2005-687) that amended the land use category from Medium Density Residential (MDR) to Business Park (BP).

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?

No. The Planning and Development Department finds that the subject property is located in the Business Park (BP) functional land use category as defined by the Future Land Use Map series (FLUMs) contained within the Future Land Use Element (FLUE) adopted as part of the 2030 Comprehensive Plan. However, there is a companion Application for Small Scale Land Use Amendment to the Future Land Use Map Series L-5781-22C (Ordinance 2023-117) that seeks to amend the portion of the site that is within the Business Park (BP) land use category to High Density Residential (HDR). The proposed multi-family development will not exceed the 60 units / acre density allowed in the land use category. When applying the criteria of consistency with the 2030 Comprehensive Plan, the combined factors of the goals, objectives and policies of the plan along with the appropriate Functional Land Use Categories are used. Thus, the fact that the density of a proposed residential development does not exceed the gross density threshold of the land use category does not ensure overall consistency with the 2030 Comprehensive Plan. Transition, compatibility, and intensity of uses are accomplished through appropriate zoning and are an important consideration to the welfare and sustainability of an area. Therefore, while the proposed uses are consistent with the category description of the functional land use category, the intensity and scale of the project is not consistent with the intent of the 2030 Comprehensive Plan. Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series L-5781-22C be **denied**. Therefore, the proposed rezoning is **inconsistent** with the FLUMs adopted as part of the 2030 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code.

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

No. This proposed rezoning to Planned Unit Development is inconsistent with the 2030 Comprehensive Plan, and **does not** further the following goals, objectives and policies contained herein, including:

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.

FLUE Objective 3.1.6: The city shall provide for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

Policy 3.2.29 The City shall continue to update its comprehensive inventory and mapping of Industrial lands to identify and protect existing strategically located industrial lands for future expansion and economic development. These areas are crucial to the long term economic well-being of the City and are identified on the Industrial Preservation Map (Map L-23) as "Industrial Sanctuary" or "Areas of Situational Compatibility".

Policy 3.2.33 Where there is not an adopted neighborhood plan and/or study recommending the contrary, within the "Area of Situational Compatibility", as shown on the Industrial Preservation Map (Map L-23), lands designated Heavy Industrial or Light Industrial on the Future Land Use Map that are strategically located to provide access to rail facilities or trucking routes; serve ports; or serve airport multi-modal requirements, shall not be converted to a non-industrial land use category unless the applicant demonstrates to the satisfaction of the City that the site cannot be reasonably used for any of industrial uses. Reasonable demonstration for suitability of industrial uses may include but is not limited to the following: Access to arterial road network, access to rail, proximity to existing residential, industrial vacancy rates in the vicinity, size of parcel and potential for redevelopment. Conversion of these lands shall only be permitted for construction of mixed use development consistent with the requirements for job creation as defined by Policy 3.2.34.

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

No. It is the opinion of the Planning and Development Department that the proposed rezoning does not appear to be in conflict with any portion of the City's land use regulations. The proposed rezoning will allow a continuance of residential/multi-family development in the area and provide a greater variety of housing types and services.

SURROUNDING LAND USE AND ZONING

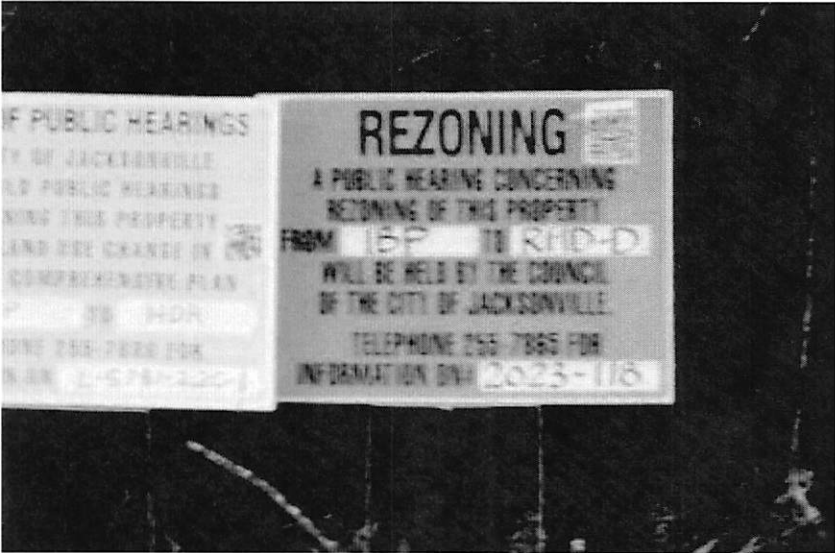
The subject property is located at the intersection of Salisbury road and Charing Street with the surrounding uses, land use categories and zoning as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	CGC	PUD (03-803)	Wekiva Springs residential treatment facility
East	BP	IBP	Office building, undeveloped
South	BP	IBP	Medical offices
West	BP	PUD (08-313)	Coventry Park Apartments

The proposed rezoning to RHD-B will be consistent and compatible with the residential uses to the west and the surrounding offices in the area.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on March 9, 2023, the required Notice of Public Hearing sign **was** posted:

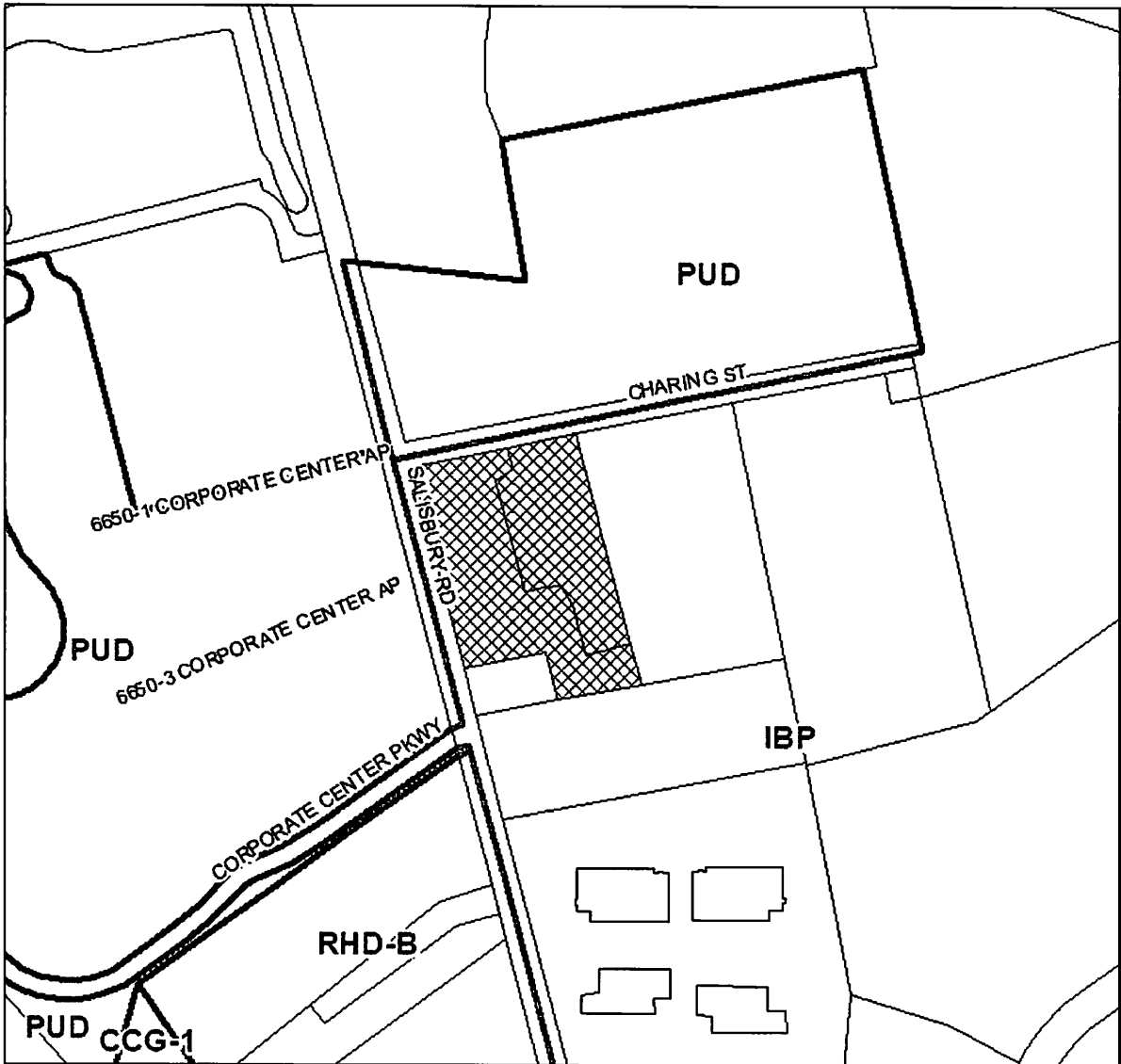


RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-118** be **DENIED**.



Aerial view of subject property



<p>REQUEST SOUGHT:</p> <p>FROM: IBP</p> <p>TO: RHD-B</p>	<p>LOCATION MAP:</p>	<p>COUNCIL DISTRICT: 4</p>
<p>ORDINANCE NUMBER ORD-2023-0118</p>	<p>TRACKING NUMBER T-2022-4677</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2023-0118 **Staff Sign-Off/Date** BEL / 01/03/2023
Filing Date 02/22/2023 **Number of Signs to Post** 3
Hearing Dates:
1st City Council 03/28/2023 **Planning Commission** 03/23/2023
Land Use & Zoning 04/04/2023 **2nd City Council** 04/11/2023
Neighborhood Association NONE
Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 4677 **Application Status** PENDING
Date Started 12/05/2022 **Date Submitted** 12/05/2022

General Information On Applicant

Last Name SUAZO **First Name** JORGE **Middle Name** A
Company Name PSG GROUP LLC
Mailing Address 10435 MIDTOWN PKWY UNIT 413
City JACKSONVILLE **State** FL **Zip Code** 32246
Phone 9043862800 **Fax** **Email** JSUAZO@WGPITTS.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name MAQSOOD **First Name** ALLIYA **Middle Name**
Company/Trust Name
Mailing Address 4466 SWILCAN BRIDGE LN N
City JACKSONVILLE **State** FL **Zip Code** 32224
Phone 9048594555 **Fax** **Email** ALLIYAM9@YAHOO.COM

Last Name GHAFOOR **First Name** NASRULLAH **Middle Name**
Company/Trust Name
Mailing Address 4466 SWILCAN BRIDGE LN N
City JACKSONVILLE **State** FL **Zip Code** 32224

Phone **Fax** **Email**
9049622692 NASRULLAH.GHAFOOR@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	152850 0000	4	3	IBP	RHD-B
Map	152850 0020	4	3	IBP	RHD-B

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

Existing Land Use Category

BP

Land Use Category Proposed?

If Yes, State Land Use Application #

5781

Total Land Area (Nearest 1/100th of an Acre) 2.97

Justification For Rezoning Application

TO PERMIT INFILL RESIDENTIAL ZONING WITHIN THE SALISBURY OFFICE PARK THUS REDUCING VEHICLE MILES TRAVEL AND PROMOTING SHARED USE OF EXISTING INFRASTRUCTURE.

Location Of Property

General Location

AT THE CORNER OF SALISBURY RD AND CHARING ST

House #	Street Name, Type and Direction	Zip Code
0	SALISBURY RD	32216

Between Streets

SLEIMAN PKWY and CORPORATE CENTER PKWY 2.97 ACRES

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**
2.97 Acres @ \$10.00 /acre: \$30.00
- 3) **Plus Notification Costs Per Addressee**
14 Notifications @ \$7.00 /each: \$98.00
- 4) **Total Rezoning Application Cost:** \$2,128.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

ORDINANCE

Legal Description

The land referred to herein below is situated in the County of DUVAL, State of Florida, and described as follows:

PARCEL "A" (RE#152850-0020)

A part of Section 56, Township 3 South, Range 27 East, Duval County, Florida, being a portion of Tract 5 as shown on the Acreage Replat of Southside Farms, as recorded in Plat Book 14, page 99, of the current public records of said Duval County, Florida and being more particularly described as follows:

For a Point of Beginning, commence at the intersection of the Southerly right-of-way line of Charing Street (a 50 foot right-of-way as now established) with the Easterly right-of-way line of Salisbury Avenue (a 60 foot right-of-way as now established); thence North 78° 39' 06" East along said Southerly right-of-way line of Charing Street, a distance of 176.86 feet; thence, departing said right-of-way line South 14° 48' 00" East a distance of 39.86 feet; thence South 56° 45' 54" West, a distance of 37.95 feet; thence South 14° 52' 37" East, a distance of 210.00 feet; thence North 75° 12' 00" East, a distance of 35.72 feet; thence North 84° 57' 42" East, a distance of 30.35 feet; thence South 32° 21' 11" East, a distance of 43.44 feet; thence South 15° 07' 38" East, a distance of 92.77 feet; thence North 74° 57' 53" East a distance of 81.97 feet; thence South 14° 40' 23" East, a distance of 75.84 feet; thence South 78° 39' 05" West, a distance 154.43 feet; thence North 14° 36' 33" West, a distance of 90.20 feet; thence South 78° 46' 17" West, a distance of 149.75 feet to aforementioned Easterly right-of-way line of Salisbury Avenue; thence North 14° 35' 02" West along said Easterly right-of-way line, a distance of 378.52 feet to its intersection with said Southerly right-of-way line of Charing Street and point of beginning.

PARCEL "B" (RE#152850-0000)

A part of Section 56, Township 3 South, Range 27 East, Duval County, Florida, being a portion of Tract 5 as shown on the Acreage Replat of Southside Farms, as recorded in Plat Book 14, page 99, of the current public records of said Duval County, Florida and being more particularly described as follows:

For a point of reference, commence at the intersection of the Southerly right-of-way line of Charing Street (a 50 foot right-of-way as now established) with the Easterly right-of-way line of Salisbury Avenue (a 60 foot right-of-way as now established); thence North 78° 39' 06" East along said Southerly right-of-way line of Charing Street, a distance of 176.87 feet to the point of beginning; thence continue North 78° 39' 06" East along said Southerly right-of-way line, a distance of 126.61 feet; thence, departing said right-of-way line, South 14° 40' 23" East, a distance of 393.23 feet; thence South 74° 57' 53" West, a distance of 81.97 feet; thence North 15° 07' 38" West, a distance of 92.77 feet; thence North 32° 21' 11" West a distance of 43.44 feet; thence South 84° 57' 42" West, a distance of 30.35 feet; thence South 75° 12' 00" West, a distance of 35.72 feet; thence North 14° 52' 37" West, a distance of 210.00 feet; thence North 56° 45' 54" East, a distance of 37.95 feet; thence North 14° 48' 00" West, a distance of 39.86 feet to aforementioned Southerly right-of-way line of Charing Street and the point of beginning.

December 29, 2022

