



A NEW DAY.

# City of Jacksonville, Florida

*Donna Deegan, Mayor*

Planning and Development Department  
214 N. Hogan St., Suite 300  
Jacksonville, FL 32202  
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Jacksonville.gov

August 22, 2024

The Honorable Randy White  
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.: 2024-528**

Dear Honorable Council President White, 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: **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**

Charles Garrison, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mark McGowan, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Julius Harden	Aye
Mon'e Holder	Absent
Ali Marar	Absent

Jack Meeks

Absent

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 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  
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Jacksonville, FL 32202  
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blewis@coj.net

**REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT**

**APPLICATION FOR ZONING EXCEPTION 2024-0528**

**AUGUST 22, 2024**

***Location:*** 3319, 3333 Lenox Avenue  
Between Nelson Street and Summer Street

***Real Estate Number:*** 056882-0000; 056893-0010

***Zoning Exception Sought:*** Outdoor Storage

***Current Zoning District:*** Residential Low Density-60 (RLD-60)  
Industrial Business Park (IBP)

***Proposed Zoning District:*** Industrial Business Park (IBP)

***Current Land Use Category:*** Business Park (BP)  
Residential Professional Institutional (RPI)

***Proposed Land Use Category:*** Business Park (BP)

***Planning District:*** District 5 – Northwest

***Council District:*** District 9

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

***Owner:*** Confederated Specialty LLC  
3333 Lenox Avenue  
Jacksonville, FL 32254

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

**GENERAL INFORMATION**

Application for Exception **2024-0528** seeks approval for outdoor storage at 3333 Lenox Avenue (RE#: 056882-0000) and 3319 Lenox Avenue (RE#:056893-0010), which have the same owners. The subject property is an existing warehouse and office, serving as the owner's primary headquarters and from which it sells and distributes an array of industrial supply products. Companion ordinance 2024-0527 is seeking to rezone 3319

Lenox Avenue to IBP to bring the entire facility under the same zoning district. The portion of the property located at 3319 Lenox Avenue is currently undeveloped and will serve only as a loading area for the warehouse. The applicant proposes utilizing the undeveloped portion of the property as storage for certain inventory and equipment associated with its operations.

### **DEFINITION**

According to Section 656.1601 of the Zoning Code, *exception* means a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, could promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare. Such uses may be permissible in the zoning district as exceptions if specific provision for the exception is made in the Zoning Code and the uses are found by the Commission to be in conformity with the standards and criteria for granting the same contained in Section 656.131(c) thereof.

### **STANDARDS, CRITERIA AND FINDINGS**

Pursuant to the provisions of Section 656.131(c) of the Zoning Code, the Planning Commission shall grant an exception only if it finds from a preponderance of the evidence that the exception meets, to the extent applicable, the following standards and criteria:

- (i) *Will the proposed use be consistent with the Comprehensive Plan?*

The 3.39-acre subject site is located on the north side of Lenox Avenue and between Summer Street and Nelson Street. According to the City's Functional Highways Classification Map, Lenox Avenue is a collector roadway. The site is currently developed at 3333 Lenox Avenue and undeveloped at 3319 Lenox Avenue.

The applicant seeks an exception for outside storage on the two adjacent properties. A companion Future Land Use Map (FLUM) amendment was also filed for this site from RPI to BP (L-5943-24C / Ordinance 2024-526) for 3319 Lenox Avenue, which is pending concurrently with this application.

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. Limited commercial retail and service establishments, hotels, and motels may also be permitted. Residential uses are also permitted in appropriate locations as identified under the Development Area Uses and densities. The maximum gross density in Suburban Area shall be 20 units/acre

and there shall be no minimum density.

Outside storage is a permitted secondary use in the BP land use category. It must be visually screened pursuant to supplemental performance standards and criteria of the Land Development Regulations. In addition to complying with the underlying uses permitted in the land use category, the proposed use is also consistent with the following goals, objectives, and policies of the Future Land Use Element (FLUE) of the *2045 Comprehensive Plan*:

**Goal 1:** To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness and protection of natural resources, while minimizing the threat to health, safety and welfare posed by hazards, nuisances, incompatible land uses and environmental degradation.

*Approval of this exception would allow the property owner to utilize the properties consistent with its operations.*

#### **Airport Environmental Zone**

The site is located within the 500-foot Height and Hazard Zone for Herlong Recreational Airport. Zoning will limit development to a maximum height of 500 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).

#### **Brownfield Study Area**

This site is located within a Brownfields Study Area designated by Resolution 2011-383-A, and as defined in Section 376.79(5), F.S. Since the property is located within a Brownfields Study Area, the owner may request that the property be designated as a Brownfield Site. Not all properties located within the Brownfield Study Area are contaminated. A Brownfield Site is property where the expansion, redevelopment, or reuse of the property may be complicated by the presence or potential presence of a hazardous substance, pollutant or contaminant. Tax credits may be available for properties designated as a Brownfield Site.

#### **Archaeological Sensitivity**

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low sensitivity for the presence of archaeological resources. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

- (ii) *Will the proposed use be compatible with the existing contiguous uses or zoning and compatible with the general character of the area, considering population density, design, scale and orientation of structures to the area, property values,*

*and existing similar uses or zoning?*

Yes. The subject property is a 3.39-acre site that is comprised of two properties, 3333 Lenox Avenue and 3319 Lenox Avenue. The proposed use is an existing warehousing/distribution use, which is compatible with the surrounding areas. Adjacent land uses and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	LDR	RLD-60	Single Family Dwellings
East	LDR	RLD-60	Single Family Dwellings; Multi-Family Dwellings
South	CGC	CCG-2	Single Family Dwellings; Office; Warehousing; Day Care
West	BP	IBP	Church

- (iii) *Will the proposed use have an environmental impact inconsistent with the health, safety and welfare of the community?*

No. There is no indication that the use will have an environmental impact inconsistent with the health, safety, and welfare of the community. According to the applicant, the proposed outdoor storage is incidental to the site's principal use of industrial supplies sales and warehousing, which has existed on the site since at least 2014. The proposed use will also meet all applicable environmental regulations.

- (iv) *Will the proposed use have a detrimental effect on vehicular or pedestrian traffic, or parking conditions, and will not result in the creation or generation of traffic inconsistent with the health, safety and welfare of the community?*

No. The proposed use will not have a detrimental effect on vehicular or pedestrian traffic or parking conditions and will not result in the creation or generation of traffic inconsistent with the health, safety, and welfare of the community, as the subject property contains sufficient area to accommodate on-site parking.

- (v) *Will the proposed use have a detrimental effect on the future development of contiguous properties or the general area?*

No. The proposed exception will not have a detrimental effect on the future development of contiguous properties or the general area since the proposed use is existing. Additionally, the applicant will be required to provide a six (6) foot-high, ninety-five percent (95%) opaque fence will provide a buffer for the residential uses to the north and east, which is not currently provided.

- (vi) *Will the proposed use result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust or physical activities, taking into account existing uses or zoning in the vicinity?*

No. It is not anticipated that the proposed use will result in the creation of objectionable or excessive noise, lights, vibrations, fumes, odors, dust, or physical activities that is inconsistent with the surrounding development. The applicant has stated that the addition of privacy screening on the existing chain link fence, the proposed outdoor storage use will not create any externalities uncommon to the properties or its surroundings.

(vii) *Will the proposed use overburden existing public services and facilities?*

No. It is not anticipated that the proposed use of outdoor storage will overburden existing public services or facilities.

(viii) *Will the site be sufficiently accessible to permit entry onto the property for fire, police, rescue and other services?*

Yes. The subject property is accessible from Lennox Avenue, via one entrance, to permit entry onto the property for fire, police, rescue and other services.

(ix) *Will the proposed use be consistent with the definition of a zoning exception, and will meet the standards and criteria of the zoning classification in which such use is proposed to be located, and all other requirements for such use set forth elsewhere in the Zoning Code, or otherwise adopted by the Planning Commission?*

Yes, the proposed use is consistent with the definition of a zoning exception.

### **SUPPLEMENTARY INFORMATION**

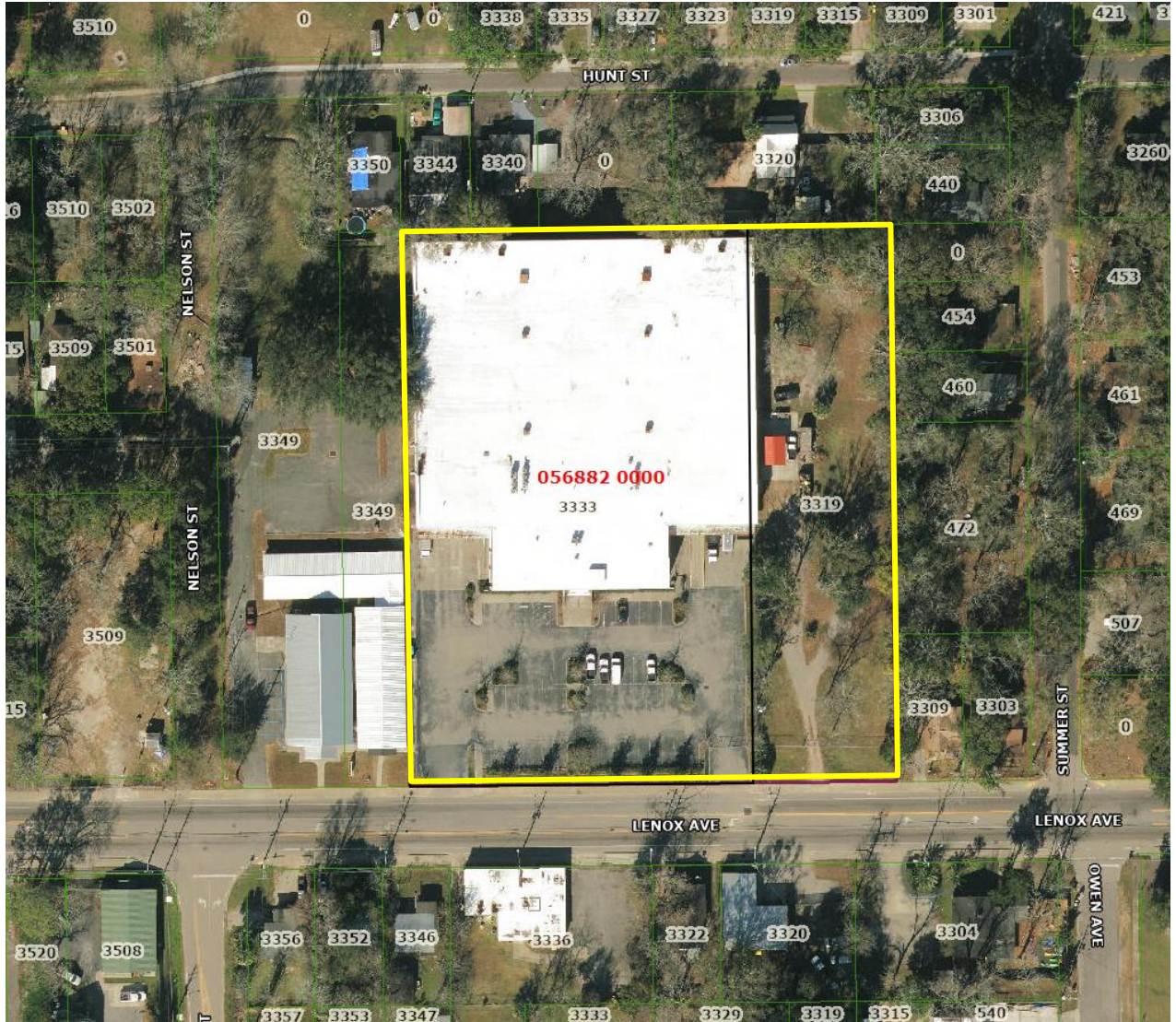
Upon visual inspection of the subject property on August 13, 2024, by the Planning and Development Department, the Notice of Public Hearing sign was posted.



**RECOMMENDATION**

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Zoning Exception **2024-0528** be **APPROVED**.

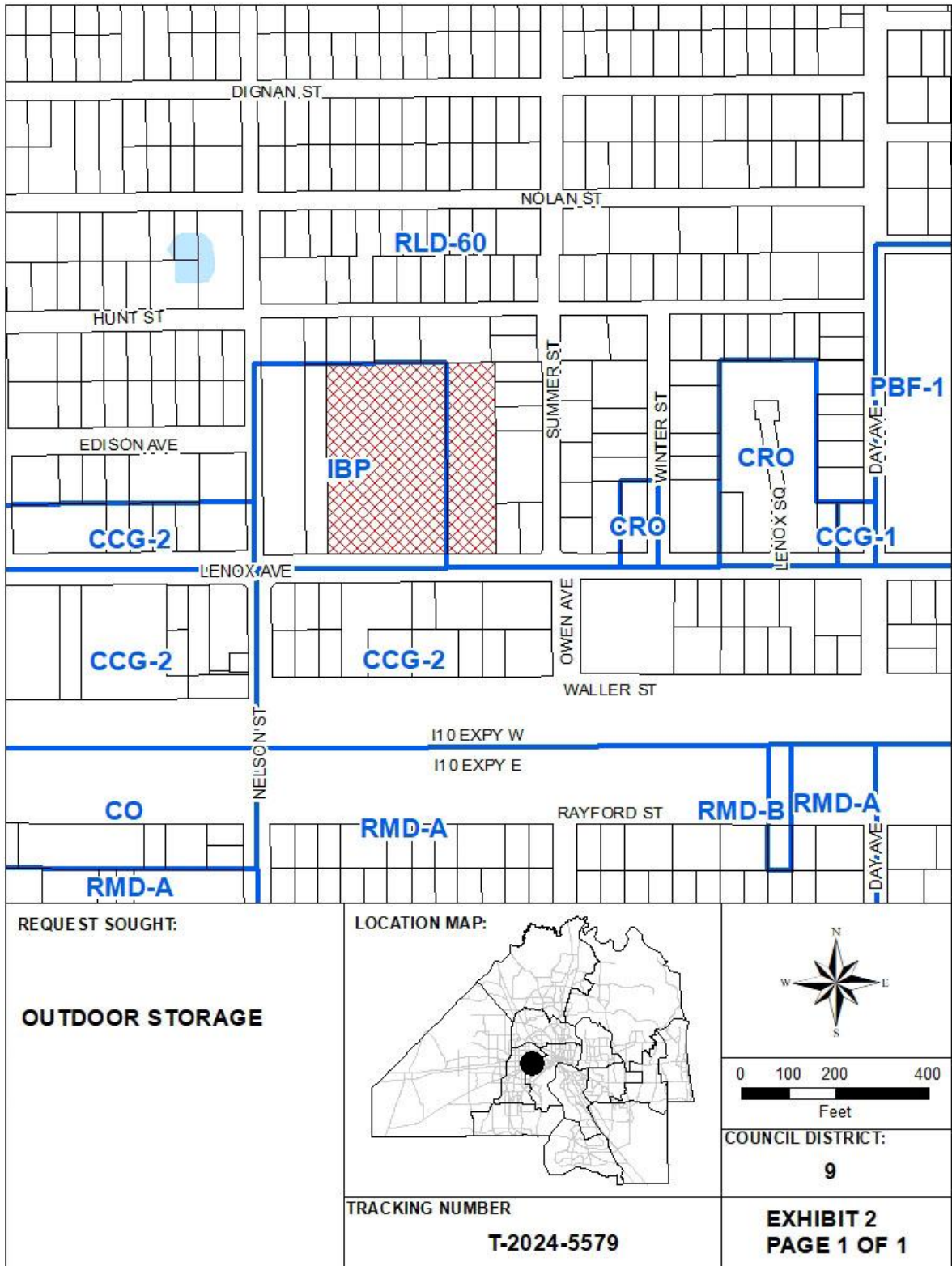
**Aerial View of Subject Property**





**View of proposed properties**





**Legal Map**