



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
214 N. Hogan St., Suite 300
Jacksonville, FL 32202
(904) 630-CITY
Jacksonville.gov

January 23, 2025

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.: 2024-0977**

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: **8-0**

Mark McGowan, Chair	Aye
Tina Meskel, Vice Chair	Aye
Mon'e Holder, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Charles Garrison	Aye
Julius Harden	Aye
Ali Marar	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, appearing to read "Erin L. Abney". The signature is fluid and cursive, with a long horizontal stroke at the end.

Erin L. Abney, MPA

Chief, Current Planning Division
Planning & Development Department
214 North Hogan Street, 3rd Floor
Jacksonville, FL 32202
(904) 255-7817; EAbney@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2024-0977

JANUARY 23, 2025

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 **2024-0977**.

Location: 757 King Street
between Dellwood Avenue and Ernest Street

Real Estate Numbers: 064906-0000

Current Zoning District: Residential Medium Density-B (RMD-B)

Proposed Zoning District: Commercial Neighborhood (CN)

Current Land Use Category: Medium Density Residential (MDR)

Proposed Land Use Category: Neighborhood Commercial (NC)

Planning District: District 5--Northwest

Council District: District 7

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

Owner Movgen King 2, LLC
1973 De La Pena Avenue
Santa Clara, California 95050

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2024-0977** seeks to rezone an 0.12-acre parcel from the RMD-B (RMD-B) to the Commercial Neighborhood (CN) Zoning District to bring the existing use into compliance with the Zoning Code. The lot is currently developed with a multi-family residence vertically integrated with a commercial use on the ground floor. The lot was previously considered legal, non-conforming within the RMD-B Zoning District, however, the commercial use ceased for more than six months, and the property must be brought into compliance to reopen a business.

There is a companion, small-scale, Land Use Amendment, 2024-0976 (L-5977-24C), to change the Land Use Category from Medium Density Residential (MDR) to Neighborhood Commercial (NC) which is compatible to the proposed CN Zoning District. Additionally, there is a companion Administrative Deviation application, 2024-0978 (AD-24-78), to reduce the uncomplimentary land use buffer, reduce the required landscaping, reduce the minimum number of off-street parking spaces, reduce the required yards, and reduce the minimum lot area.

The following additional criteria shall be considered by the Planning and Development Department, the Local Planning Agency, and the City Council when evaluating any land use or zoning application within the Riverside/Avondale Zoning Overlay District:

(a) Whether the proposed rezoning is consistent with the Riverside/Avondale Zoning Overlay District and the historic district regulations;

The proposed request to CN Zoning is Consistent with the Riverside Avondale Overlay. The proposed Zoning District allows for low intensity retail and office uses. The area surrounding the site is made up of a mixture of these uses.

(b) Whether the rezoning will negatively affect or alter the character of the character area or corridor;

The subject property is surrounding by residential and light industrial uses. The proposed Zoning District is consistent and compatible with the surrounding uses. The permissible uses in the CN Zoning District will likely serve the neighboring residential areas.

(c) Whether the rezoning and subsequent future development would result in the destruction of natural resources such as wetlands, protected trees or exceptional specimen trees;

The proposed rezoning site is developed with a historic structure and is not proposing any removal of trees or natural resources.

(d) Whether the rezoning would have a negative affect on any contributing structures within the Riverside Avondale historic district, as defined in Section 656.399.17, historic landmark or landmark site.

No proposed renovation is included with the rezoning application. The Historic Planning Section will be required to review any work done on the structure prior to any permit approval. The requests in the companion administrative deviation application are made to avoid unnecessary changes to the historically significant building.

STANDARDS, CRITERIA AND FINDINGS

1. Is the proposed rezoning consistent with the 2045 Comprehensive Plan?

The 0.12-acre subject site is located at the northeast corner of Dellwood Avenue and King Street. The subject site is in the Riverside Zoning Overlay District as well as the Riverside-Avondale Historic District. The building on the site has historically been used for commercial and residential purposes. The area surrounding the site includes a mix of residential and commercial uses. The building on the site has historical significance which is detailed below.

Neighborhood Commercial (NC) is a category primarily intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. These uses shall generally be located within walking distance of residential neighborhoods in order to reduce the number of Vehicles Miles Traveled. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein.

CN is a primary zoning district of the NC land use category, and therefore the proposed rezoning request to CN, contingent upon passage of the companion land use amendment application, is consistent with the 2045 Comprehensive Plan.

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

Yes, the proposed rezoning furthers the following goals, objectives, and policies of the 2045 Comprehensive Plan's Future Land Use Element:

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.

Objective 1.6

The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Goal 3

To achieve a well-balanced and organized combination of residential, non-residential, recreational and public uses served by a convenient and efficient transportation network, while protecting and preserving the fabric and character of the City's neighborhoods and enhancing the viability of non-residential areas.

Objective 3.2

Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

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.

Evaluation by the Historic Preservation Section

The property is located within the boundaries of the Riverside-Avondale Historic District. Based on archival records, this site was previously occupied by the King & Dellwood Grocery, and it contains a Masonry Vernacular style structure originally constructed in 1910. Notable architectural features include a flat roof, red brick exterior, and storefront fixed glass windows.

Because property 757 King Street possesses historical significance, potential development of the site should respect the property's historic and archaeological resources. Any exterior work to structures on this property or the site itself requires an approved Certificate of Appropriateness (COA) application before work can commence. Please note that when permits are applied for with the City, the permit may be flagged for Historic Preservation Section sign-off.

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 pending approval of the Land Use Companion Application Ordinance 2024-0976 (L-5977-24C).

SURROUNDING LAND USE AND ZONING

The 0.12 parcel is surrounded by multi-family dwellings to the north and south, and single-family dwellings to the east and west. It is the opinion of the Planning and Development Department that the requested rezoning to CN will be consistent and compatible with the surrounding uses.

The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	MDR	RMD-B	Multi-family dwellings
East	MDR	RMD-B	Single-family dwellings
South	MDR	RMD-A	Multi-family dwellings
West	MDR	RMD-A	Single Family Dwellings

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **December 9, 2024**, 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 **2024-0977** be **APPROVED**.



View of Subject Property from King Street



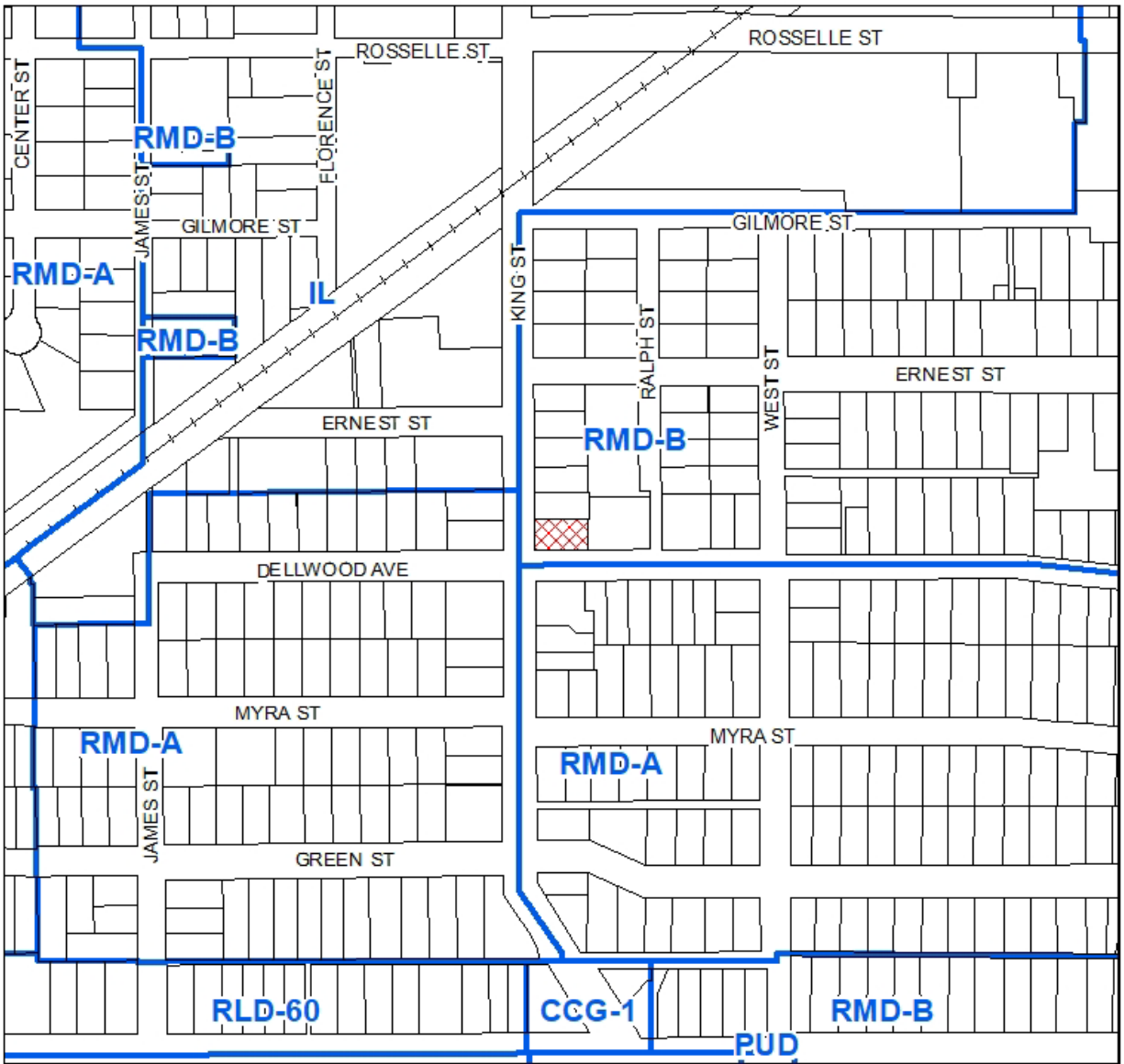
View of Subject Property from Dellwood Avenue



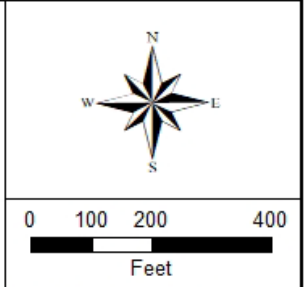
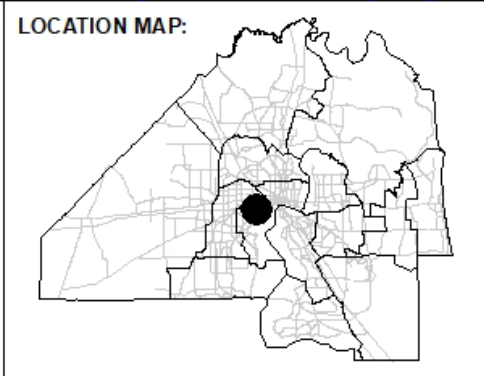
View of Subject Property from Dellwood Avenue



Aerial View of Subject Property



REQUEST SOUGHT:
FROM: RMD-B
TO: CN



COUNCIL DISTRICT:
7

TRACKING NUMBER
T-2024-5816

EXHIBIT 2
PAGE 1 OF 1

Legal Map