

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

August 4, 2022

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.: 2022-480**

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**

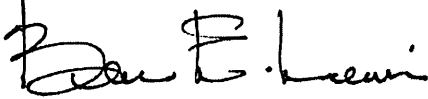
Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition. The Commissioners generally felt there were other commercial uses in the area and concern over losing industrial land to residential uses. A commissioner felt it was dangerous to locate industrial adjacent to residential and there is no maximum height in the industrial zoning district.

Planning Commission Vote:	6-1
David Hacker, Chair	Aye
Alex Moldovan, Vice Chair	Aye
Ian Brown, Secretary	Absent
Marshall Adkison	Aye
Daniel Blanchard	Nay
Jordan Elsbury	Aye
Joshua Garrison	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 fluid and cursive, with the first name "Bruce" being the most prominent.

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 2022-0480

AUGUST 4, 2022

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 **2022-0480**.

Location: 328 Center Avenue
Between General Avenue and Interstate 10

Real Estate Number: 006728-0000

Current Zoning District: Residential Rural-Acre (RR-Acre)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Light Industrial (LI)

Planning District: District 5 – Northwest

Applicant: Taylor Mejia
The Southern Group
208 N. Laura Street Suite 710
Jacksonville, Florida 32202

Applicant: Ulna Foster Andrew III
328 Center Avenue
Jacksonville, Florida 32220

Staff Recommendation: DENY

GENERAL INFORMATION

Application for Rezoning Ordinance **2022-0480** seeks to rezone 3.04± acres of land from Residential Rural-Acre (RR-Acre) to Industrial Light (IL). The property is located in the Light Industrial (LI) land use category within the Urban Priority Development Area of the Future Land Use Element of the 2030 Comprehensive Plan. The request is being sought in order to allow for the property to be developed as a Semi-Truck Dealership. If the property is not developed as a Semi-Truck Dealership, the proposed Light Industrial Category would still allow for very intense uses on a very small two lane local residential roadway.

A Companion Small Scale Land Use Amendment 2022-0479 seeks to change the Land Use to Light Industrial. The Planning and Development Department is also recommending Denial on the Companion Application.

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 application to change the zoning from RR-Acre to IL to allow for a light industrial use more fitting with the character of the area. Currently, the property has a single-family residence that is for sale.

Zoning application, Ordinance 2022-450, seeks to change the zoning district at the subject site from Rural Residential – Acre (RR-Acre) to Industrial Light (IL). The 3.04-acre subject site is located at 328 Center Avenue, between General Avenue and I-10 / SR-8. Center Avenue and General Avenue are both unclassified roadways. The site does not have direct access to I-10. The site is in Planning District 5 (Northwest) and Council District 12. The site is in the Low Density Residential (LDR) land use category and within the Urban Development Area.

According to the Category Descriptions of the Future Land Use Element (FLUE), Low Density Residential (LDR) in the Suburban Development Area is intended to provide for low-density residential development. Generally, single-family detached housing should be the predominant development typology in this category. Mixed use developments utilizing the Traditional Neighborhood Development (TND) concept, which is predominantly residential but includes a broad mixture of secondary recreational, commercial, public facilities and services may also be permitted. Residential development is permitted at up to seven (7) dwelling units per acre where centralized water and sewer is available.

Light Industrial (LI) land use category provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemical and wastes. Principal uses in the LI category include but are

not limited to light assembly and manufacturing, packaging, processing, storage and warehousing.

According to a JEA availability letter, dated July 17, 2022, there is a 12-inch water main and a 4-inch sewer force main approximately 950 feet from the subject site. The subject site will need to access central water and central sewer to be consistent with Policy 1.2.9.

The proposed rezoning from RR-Acre to IL and the companion land use amendment from LDR to LI is inconsistent with the Future Land Use Element of the 2030 Comprehensive Plan.

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

Yes. This proposed rezoning to Planned Unit Development is inconsistent with the 2030 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

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

The proposed location of the Industrial site is inappropriate based off of the surrounding existing residential properties, and the size of the road the subject site is located on.

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.

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

Yes. The proposed Light Industrial (LI) land use category is not consistent with the 2030 Comprehensive Plan due to existing surrounding development and access to the site. Additionally, the site will need to connect to central sewer and water. The nearest connection point is 950' away. Further analysis of the proposed land use change is provided in the companion land use amendment staff report. Therefore, the proposed IL zoning district pursuant to Ordinance 2022-480 is inconsistent with the Future Land Use Element of the 2030 Comprehensive Plan.

SURROUNDING LAND USE AND ZONING

The subject property is located on the north side of Interstate 10, at the southwest endpoint of a small local residential road, Center Avenue. Center Avenue is currently only developed with Single Family Dwellings and only has one access road to it, General Avenue.

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RR-Acre	Single-Family Dwellings
East	LDR	IBP	Single-Family Dwellings
South	LDR	RLD-60	Interstate 10
West	LDR	RR-Acre	Single-Family Dwelling

It is the opinion of the Planning and Development Department that the requested rezoning to IL will not be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on July 25, 2022 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 2022-0480 be **DENIED**.



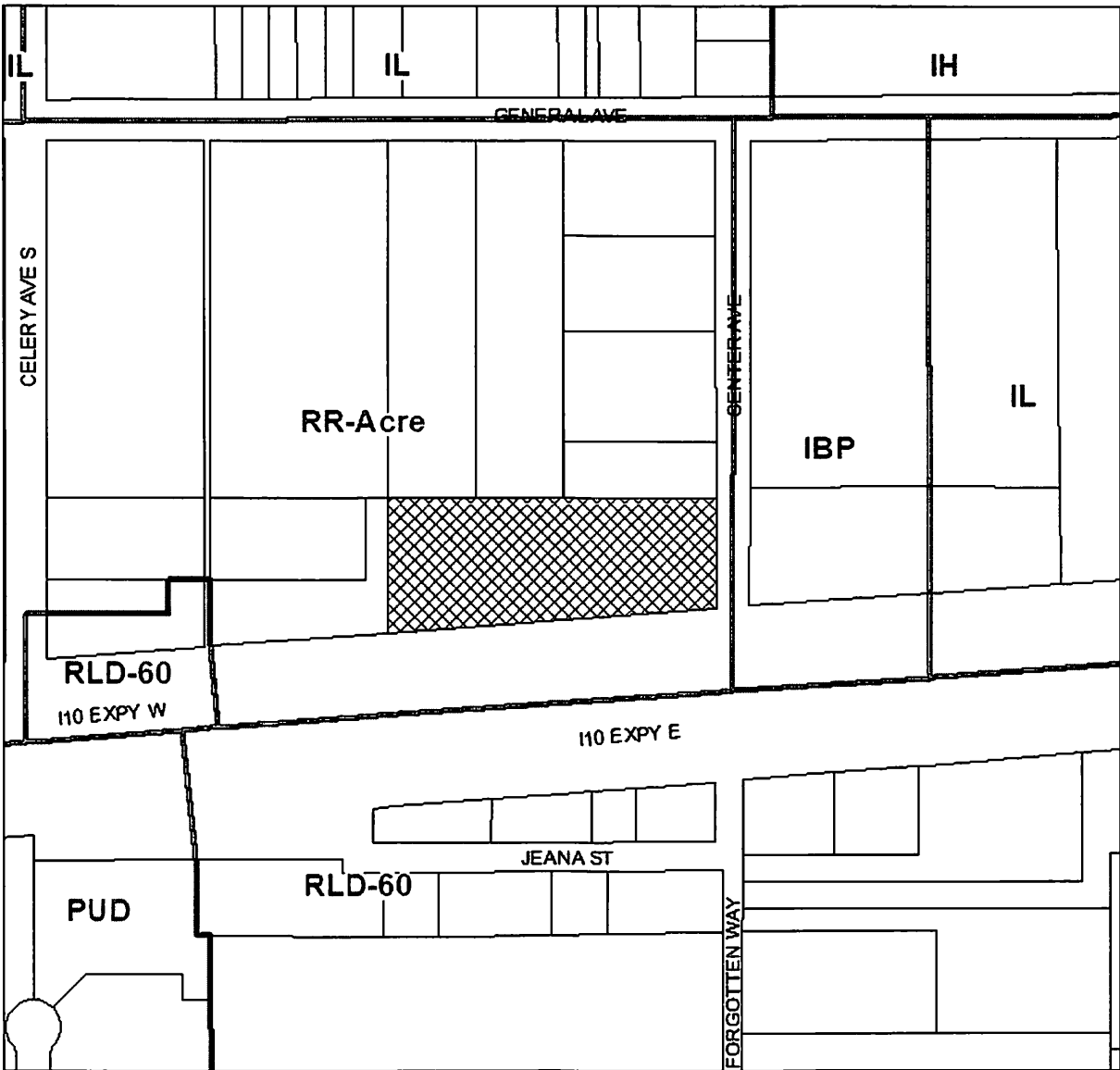
View of the Subject Site

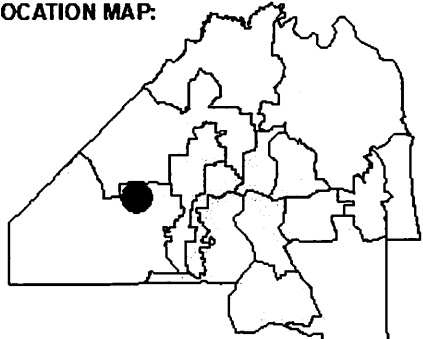



View of the neighboring property to the North



View of Center Avenue



<p>REQUEST SOUGHT:</p> <p>FROM: RR-ACRE</p> <p>TO: IL</p>	<p>LOCATION MAP:</p> 	 <p>0 100 200 400 Feet</p> <p>COUNCIL DISTRICT: 12</p>
<p>ORDINANCE NUMBER ORD-2022-0480</p>	<p>TRACKING NUMBER T-2022-4227</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0480 **Staff Sign-Off/Date** CMC / 05/31/2022
Filing Date 06/23/2022 **Number of Signs to Post** 4
Hearing Dates:
1st City Council 08/09/2022 **Planning Commission** 08/04/2022
Land Use & Zoning 08/16/2022 **2nd City Council** 08/24/2022
Neighborhood Association WHITEHOUSE CIVIC ASSOCIATION; WEST JAX CIVIC ASSOCIATION
Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4227 **Application Status** FILED COMPLETE
Date Started 04/19/2022 **Date Submitted** 04/19/2022

General Information On Applicant

Last Name	First Name	Middle Name
MEJIA	TAYLOR	

Company Name
THE SOUTHERN GROUP

Mailing Address
208 N LAURA ST SUITE 710

City	State	Zip Code
JACKSONVILLE	FL	32202

Phone	Fax	Email
9043495954	904	MEJIA@THESOUTHERNGROUP.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
ANDREW III	ULNA	FOSTER

Company/Trust Name

Mailing Address
328 CENTER AVE

City	State	Zip Code
JACKSONVILLE	FL	32220

Phone	Fax	Email
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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 006728 0000	12	5	RR-ACRE	IL

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 #

Total Land Area (Approx 1/100th of an Acre) 3.04

Justification For Rezoning Application

REZONING AND COMPANION LAND USE AMENDMENT TO ALLOW FOR A LIGHT INDUSTRIAL USE MORE FITTING WITH THE CHARACTER OF THE AREA.

Location Of Property

General Location

328 CENTER AVE

House #	Street Name, Type and Direction	Zip Code
328	CENTER AVE	32220

Between Streets

GENERAL AVE and I 10

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

3.04 Acres @ \$10.00 /acre: \$40.00

3) Plus Notification Costs Per Addressee

16 Notifications @ \$7.00 /each: \$112.00

4) Total Rezoning Application Cost: \$2,152.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

Legal Description

March 18, 2021

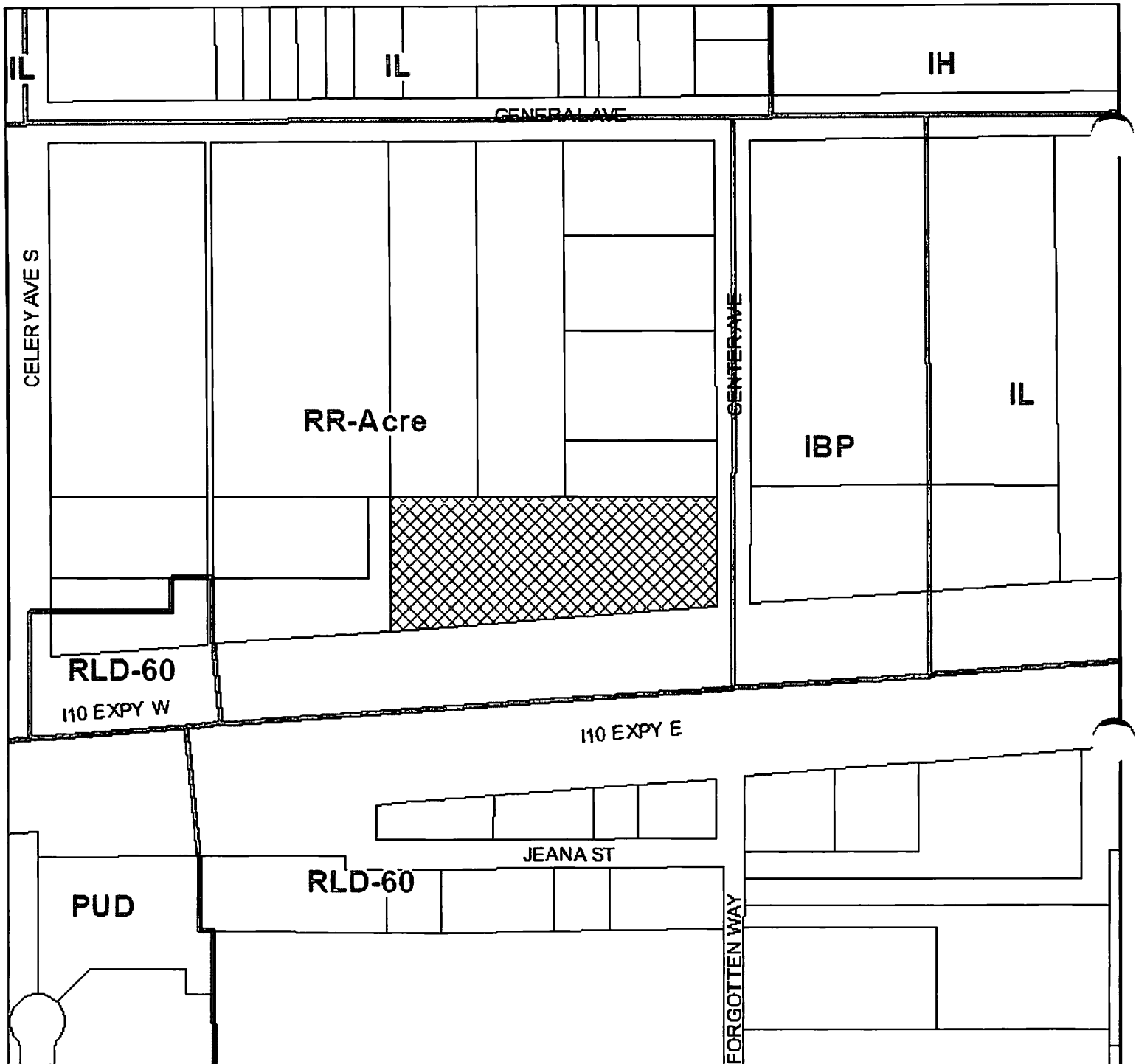
5-70 19-2S-25E

WHITE CITY S/D

LOTS 2,3(EX PT IN ST RD & PT RECD O/R BK 1255-123)

BLK 28 NE1/4 OF SW 1/4

O/R BK 4469-303

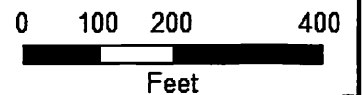
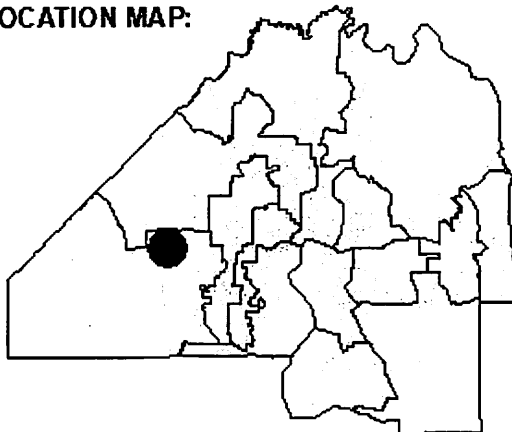


REQUEST SOUGHT:

FROM: RR-ACRE

TO: IL

LOCATION MAP:



COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2022-4227

**EXHIBIT 2
PAGE 1 OF 1**



Availability Letter

TAYLOR MEJIA

6/17/2022

THE SOUTHERN GROUP - JAX

208 N Laura St, 710

Jacksonville, Florida 32202

Project Name: 328 Center Ave LUZ

Availability #: 2022-2320

Attn: TAYLOR MEJIA

Thank you for your inquiry regarding the availability of Electric, Sewer, Water. The above referenced number in this letter will be the number JEA uses to track your project. Please reference this number when making inquiries and submitting related documents.

Point of Connection:

summary of connection points for requested services are identified on the following page. JEA recognizes Connection Point #1 as the primary point of connection (POC); however, a secondary, conditional POC will be listed if available. JEA assumes no responsibility for the inaccuracy of any service connection portrayed on a JEA utility system record drawing. JEA requires field verification in the form of a Level A SUE of all POCs prior to any plan approval to ensure connection availability. Please note the Special Conditions stated in each section contain pertinent information and additional requirements as well as further instructions. In the event the point of connection is located within a JEA easement located on private property not owned by applicant, applicant shall be responsible to obtain a temporary construction easement (TCE) from the third party owner providing applicant with the right to construct the utilities. **The TCE will need to be provided by JEA prior to setting up a pre-construction meeting.**

Main Extensions and/or Offsite Improvements:

For all utilities located in the public Right of Way or JEA easement, the new WS&R utilities shall be dedicated to JEA upon completion and final inspection, unless otherwise noted. **It shall be the applicant's responsibility to engage the services of a professional engineer, licensed in the State of Florida.** All WS&R construction shall conform to current JEA Water, Sewer & Reuse Design Guidelines which may be found at:

https://www.jea.com/engineering_and_construction/water_and_wastewater_development/reference_materials/

Reservation of Capacity:

This availability response does not represent JEA's commitment for or reservation of WS&R capacity. In accordance with JEA's policies and procedures, commitment to serve is made only upon JEA's approval of your application for service and receipt of your payment of all applicable fees.

A detailed overview of the process can be found at JEA.com. This document along with other important forms and submittal processes can be found at

https://www.jea.com/water_and_wastewater_development

Sincerely,

Sigrid Baker
duncsg2@jea.com
(904) 544-0371

Availability Number: 2022-2320

Request Received On: 6/10/2022

Availability Response: 6/17/2022

Prepared by: Sigrid Baker

Expiration Date: 06/16/2024

Project Information

Name: 328 Center Ave LUZ

Address: 328 CENTER AVE, JACKSONVILLE, FL 32220

County: Duval County

Type: Electric,Sewer,Water

Requested Flow: 1000

Parcel Number: 006728 0000

Location:

Description: Land use amendment and rezoning to allow for industrial uses.

Potable Water Connection

Water Treatment Grid: North Grid

Connection Point #1: Existing 12-inch water main within General Ave ROW, approximately 950 LF northeast of this property.

Connection Point #2:

Water Special Conditions: Connection point not reviewed for site fire protection requirements. Private fire protection analysis is required.

Sewer Connection

Sewer Grid: Buckman

Connection Point #1: Existign 4-inch sewer force main within General Ave ROW, approximately 950 LF northeast of this property.

Connection Point #2:

Sewer Special Conditions: Connection to the JEA-owned sewer system for your project will require the design and construction of an onsite, privately owned and maintained pump station, and a JEA dedicated force main (min. 4" dia.). Request a force main connection pressure letter through the JEA Sages program, Step 2, and select Force Main Connection Pressure Letter Request. If needed, a development meeting can be scheduled prior to submitting a plan set. Request development

meeting through the JEA Sages program, Step 2, and select Development Meeting.

Reclaimed Water Connection

Reclaim Grid:

Connection Point #1:

Connection Point #2:

Reclaim Special Conditions:

Electric Availability:

Electric Special Conditions: The subject property lies within the geographic area legally served by JEA. JEA will provide electric service as per JEA's most current Rules and Regulations.

General Conditions:

Request As-Built drawings and/or GIS maps by going to Step 1 in Sages. Submit your plans for water/waste water review by Step 2 in Sages. After your plans are approved, you can submit your permit applications by access Step 3 in Sages, select Permit Determination. After your plans, permits and shop drawings have been approved, as

Subsequent steps you need applicable, you can request a Pre-Construction Meeting by accessing Step 4 in Sages.

to take to get service: Project As-Built can be submitted by accessing Step 4 in Sages. After your as-builts are approved you can submit your Permit COC applications by accessing Step 4 in Sages. After your permits are cleared, you can submit your project Acceptance Package by accessing Step 5 in Sages. After your project has been accepted you can submit your Commercial New Service Application by accessing Step 2 in Sages.