

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 18, 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.: 2022-548**

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: **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

David Hacker, Chair Aye

Alex Moldovan, Vice Chair Aye

Ian Brown, Secretary Aye

Marshall Adkison Aye

Daniel Blanchard Aye

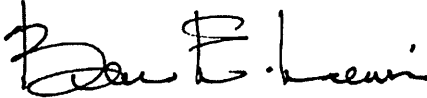
Jordan Elsbury Absent

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 more 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 2022-0548

August 18, 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 **2022-0548**.

<i>Location</i>	13587 Beaver Street West
<i>Real Estate Number:</i>	001676-0000
<i>Present Zoning District:</i>	Agriculture (AGR)
<i>Proposed Zoning District:</i>	Recreation and Open Space (ROS)
<i>Current Land Use Category:</i>	Agriculture-IV (AGR-IV)
<i>Proposed Land Use Category:</i>	Recreation and Open Space (ROS)
<i>Planning District:</i>	Southwest, District 4
<i>Applicant/Agent:</i>	Curtis L. Hart Hart Resources, LLC 8051 Tara Lane Jacksonville, Florida 32216
<i>Owner:</i>	David Radcliffe Phoenix Office Center, Inc Jacksonville, Florida 32034
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2020-0548** seeks to rezone approximately 9.36 acres of property from Agriculture (AGR) to Recreation and Open Space (ROS). The applicant is also seeking a companion land use amendment to make the property compatible with the surrounding properties. The property directly north of the Subject Site was recently rezoned to ROS through Ordinance **2020-0281**, it was indicated on the previous application that a RV Park was going to be developed.

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

1. *Is the proposed rezoning district consistent with the functional land use category identified in the 2030 Comprehensive Plan?*

Yes. The zoning application, Ordinance 2022-548, has a companion land use application, Ordinance 2022-547 (L-5707-22C), that is changing the land use from AGR-IV to ROS on 9.36 acres. The property is located along the north side of Beaver Street West (US-90), a major arterial road, between Otis Road, a collector road, and Zephyr Dairy Drive, a local road. The land use amendment site is located in the Urban Development Area, Planning District 4, and Council District 12 and has access to full urban services.

According to the Future Land Use Element (FLUE), Agriculture (AGR) is intended to provide for agricultural uses and to preserve the existing rural character of outlying areas of the City where full urban services and facilities will not be provided by the City during the planning time frame. Accordingly, the principal activities allowed in these categories are agriculture and related uses. AGR-IV allows 1 unit for every 2.5 acres.

Recreation and Open Space (ROS) is intended to provide lands for activities associated with outdoor recreation. Principal uses permitted within the ROS land use category include parks, playgrounds, golf courses, and marinas. Secondary uses could include uses such as, travel trailer parks, country clubs, campgrounds, and archery ranges.

The proposed zoning is consistent with the proposed land use change to ROS.

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

Yes. To ensure compliance with the provisions of the Comprehensive Plan, zoning staff has analyzed the proposed zoning application in relation to the following goals, objectives, policies and/or text of the 2030 Comprehensive Plan:

Future Land Use Element

FLUE Policy 1.1.2 As depicted on the FLUM series, Development Areas have been established to determine appropriate locations for land uses and densities and consist of five tiers of development intensities ranging from high density infill development in the historic core to very low density in the outlying rural areas. These include: the Central Business District (CBD); the Urban Priority Area (UPA); the Urban Area (UA); the Suburban Area (SA); and the Rural Area (RA). These Development Areas determine differing development characteristics and a gradation of densities for each land use plan category as provided in the Operative Provisions of this element.

FLUE 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.

FLUE Objective 6.3 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.

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

No. The effect of the proposed rezoning is in harmony with the spirit and intent of the Zoning Code. If approved, it would permit a use that is consistent with the adjacent and nearby rural residential and agricultural uses.

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	ROS	ROS	Vacant Commercial
East	CGC	PUD/CCG-1	Store Retail
South	ROS	PBF-1	Railroad
West	AGR-III	AGR	Vacant Government

SURROUNDING LAND USE AND ZONING

The proposed rezoning will allow for general recreation uses, thereby increasing the potential of/recreational activities available to nearby residents. Principal uses permitted within the ROS land use category include parks, playgrounds, golf courses, and marinas. Secondary uses could include uses such as, travel trailer parks, country clubs, camp grounds, and archery ranges. Therefore, the proposed rezoning is consistent and compatible with all of the various adjacent and nearby agricultural and residential zoning districts.

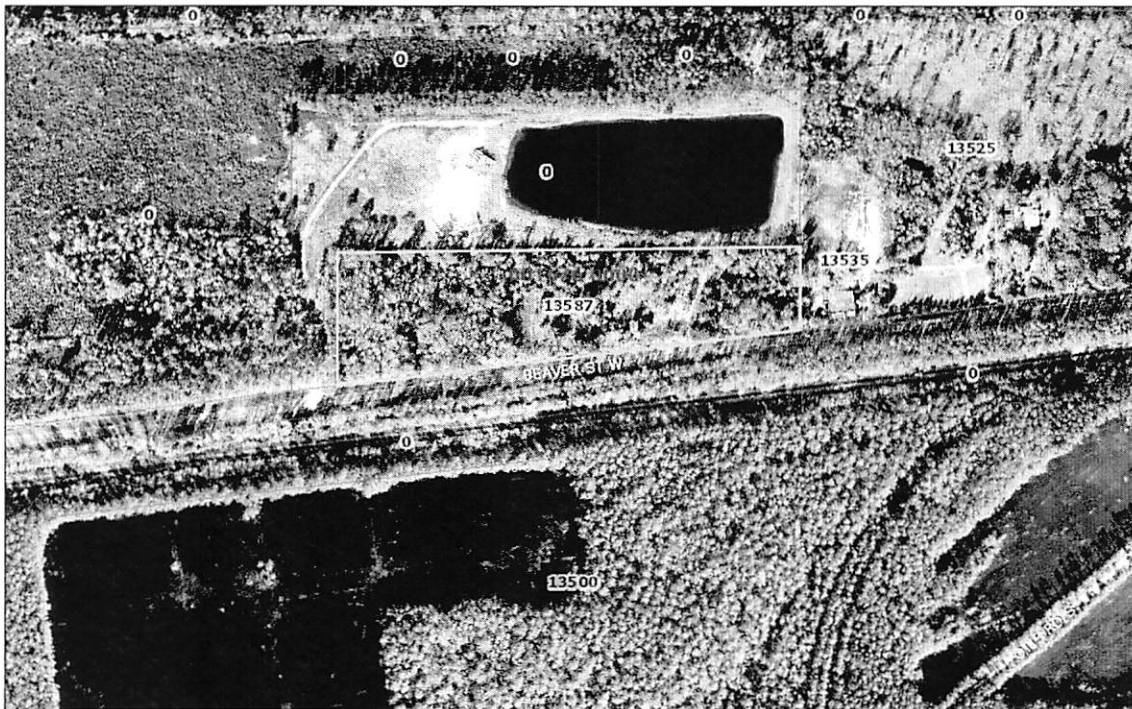
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on August 8, 2022, the required Notice of Public Hearing sign **was** posted.



RECOMMENDATION

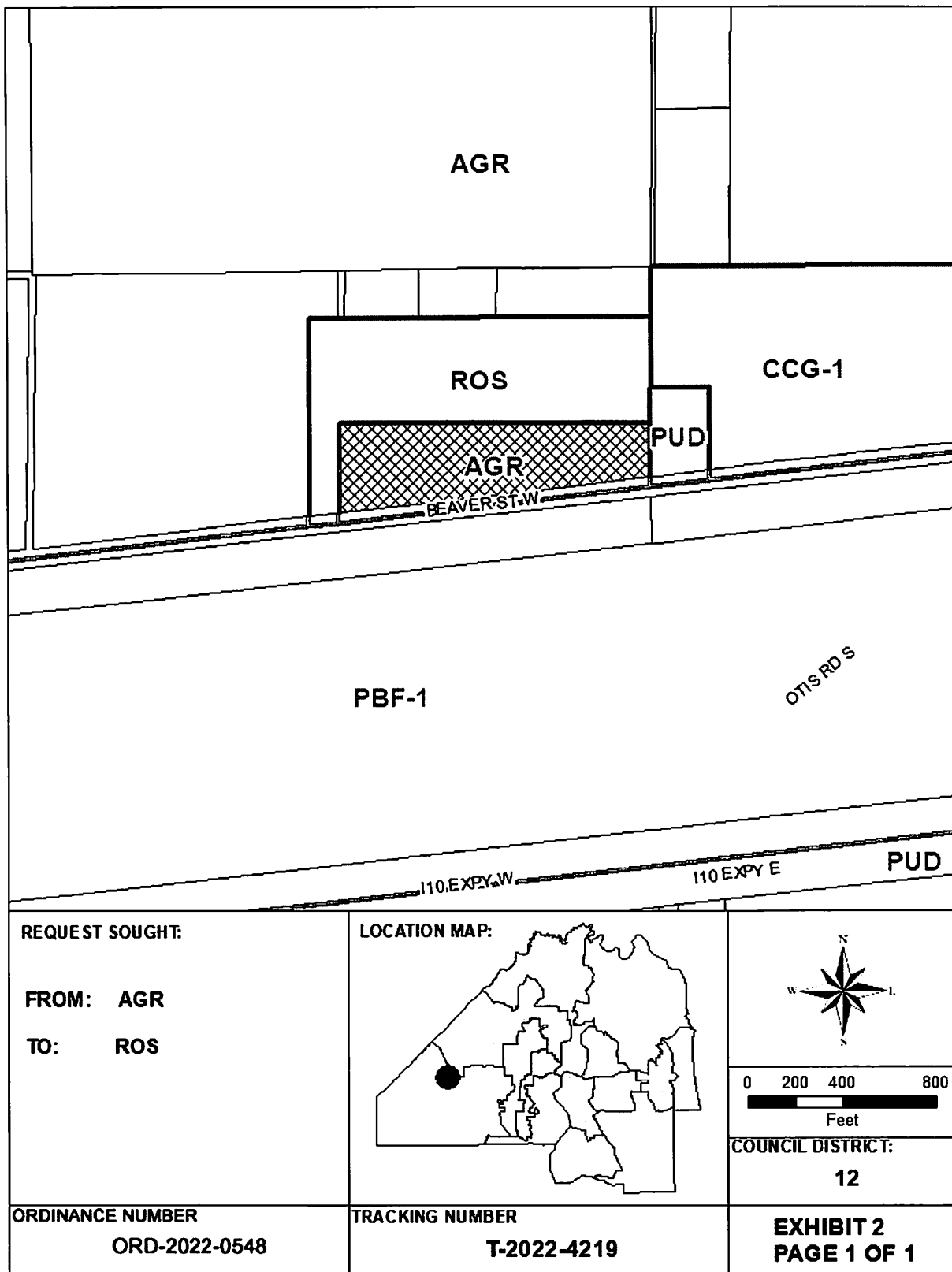
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **Ordinance 2022-0548** be **APPROVED**.



Aerial View



View of the Subject Site



Legal Map

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0548 **Staff Sign-Off/Date** CMC / 06/15/2022

Filing Date 07/22/2022 **Number of Signs to Post** 7

Timing Dates:

1st City Council 08/24/2022 **Planning Commission** 08/18/2022

Land Use & Zoning 09/07/2022 **2nd City Council** 09/13/2022

Neighborhood Association N/A

Neighborhood Action Plan/Corridor Study N/A

Application Info

Tracking # 4219

Application Status FILED COMPLETE

Date Started 04/14/2022

Date Submitted 04/14/2022

General Information On Applicant

Last Name	First Name	Middle Name
HART	CURTIS	L

Company Name
HART RESOURCES LLC

Mailing Address
8051 TARA LANE

City	State	Zip Code
JACKSONVILLE	FL	32216

Phone	Fax	Email
9049935008		CURTISHART@HARTRESOURCES.NET

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
RADCLIFFE	DAVID	

Company/Trust Name
PHOENIX OFFICE CENTER, INC

Mailing Address
1417 SADLER ROAD #233

City	State	Zip Code
FERNANDINA BEACH	FL	32034

Phone	Fax	Email

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
001676 0000	12	4	AGR	ROS

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

Existing Land Use Category
AGR-IV

Land Use Category Proposed?

If Yes, State Land Use Application #

5707

Total Land Area (Nearest 1/100th of an Acre) 9.36

Justification For Rezoning Application

THE PROPERTY ABUTS ROS. THIS ZONING CHANGE WOULD BE COMPATIBLE WITH THE SURROUNDING PROPERTIES.

Location Of Property

General Location

NORTHSIDE OF BEAVER STREET W

House #	Street Name, Type and Direction	Zip Code
13587	BEAVER ST W	32234

Between Streets

OTIS ROAD and ZEPHRY DAIRY DR

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

9.36 Acres @ \$10.00 /acre: \$100.00

3) Plus Notification Costs Per Addressee

7 Notifications @ \$7.00 /each: \$49.00

Total Rezoning Application Cost: \$2,149.00

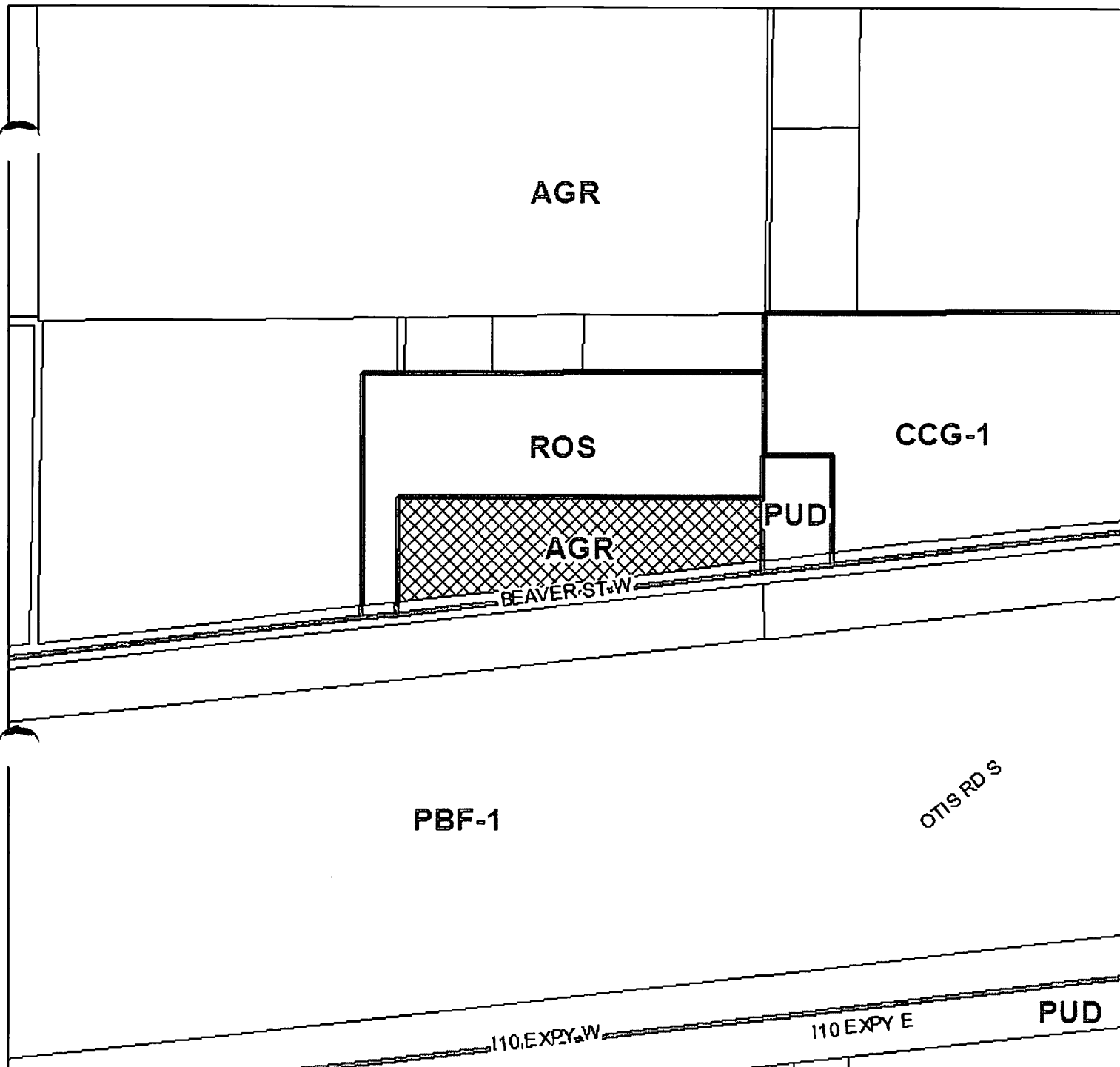
NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

Legal Description

April 14, 2022

LEGAL DESCRIPTION TRACTS FIVE (5), SIX (6), SEVEN (7) AND EIGHT (8) OF THE NORTHEAST ONEQUARTER (NE ¼) OF THE SOUTHEAST ONEQUARTER (SE ¼) OF SECTION TWENTY-ONE (21), TOWNSHIP TWO (2) SOUTH, RANGE TWENTY-FOUR (24) EAST, JACKSONVILLE FARMS, ACCORDING TO PLAT RECORDED IN PLAT BOOK 3, PAGE 41, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; EXCEPTING THEREOUT ANY PART THEREOF I PUBLIC ROAD, EXCEPTING THEREOUT ANY PART IN THE S.A.L. RAILROAD RIGHT OF WAY, EXCEPTING THEREOUT ANY PART THEREOUT LYING SOUTH OF THE RAILROAD RIGHT OF WAY WHICH HAS BEEN CONDEMNED AND TAKEN BY THE U.S.A. PARCEL ID 001676-0000

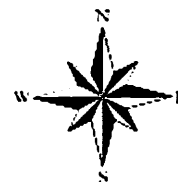
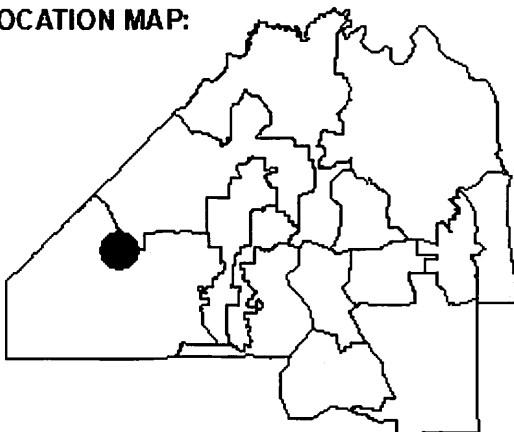


REQUEST SOUGHT:

FROM: AGR

TO: ROS

LOCATION MAP:



0 200 400 800
Feet

COUNCIL DISTRICT:

12

TRACKING NUMBER

T-2022-4219

EXHIBIT 2
PAGE 1 OF 1