

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

November 3, 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.: 2022-751**

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**

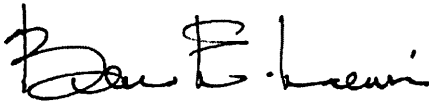
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 7-0

Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Aye
Daniel Blanchard	Aye
Jordan Elsbury	Aye
Joshua Garrison	Absent
Javid 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 2022-751

NOVEMBER 3, 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 2022-751.

Location: 5238 New Kings Road between 45th Street West and railroad tracks

Real Estate Numbers: 084109-0000

Current Zoning District: Commercial Community General-2 (CCG-2)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Community General Commercial (CGC)

Proposed Land Use Category: Light Industrial (LI)

Planning District: Northwest, District 5

Applicant/Agent: Shamil K. Eminov
Foremost Trucking, LLC
2217 Pierce Street
Jacksonville Florida 32246

Owner Shamil K. Eminov
Foremost Trucking, LLC
2217 Pierce Street
Jacksonville Florida 32246

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2022-751 seeks to rezone a parcel, approximately 1.2 acres from CCG-2 to the IL Zoning District in order to use a property for semi-tractor and trailer parking/storage. The area immediately surrounding the subject property is industrial in nature. The small building on the site was demolished around 2004 and the parcel has remained undeveloped since that time.

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?

Yes. The Planning and Development Department finds that the subject property is located in the Community General Commercial (CGC) 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-5744-22C (Ordinance 2022-750) that seeks to amend the portion of the site that is within the Community General Commercial (CGC) land use category to Light Industrial (LI). Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series L-5744-22C be approved. Therefore, the proposed rezoning is consistent 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?

Yes, the proposed rezoning furthers the following goals, objectives, and policies of the 2030 Comprehensive Plan's Future Land Use Element (FLUE):

Policy 1.1.24 The City will encourage new development to locate in the Urban Core, Southwest, North, and Northwest planning districts through such measures as economic incentives, greater marketing assistance, etc.

Policy 3.2.1 The City shall promote development of commercial and light/service industrial uses in the form of nodes, corridor development, centers or parks.

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 L-5744-22C (Ord. 2022-750).

SURROUNDING LAND USE AND ZONING

The area is primarily industrial with a trucking distribution use to the north, a warehouse to the west, and construction equipment sales to the east and a vacant motel to the south. New Kings Road is classified as a Principal Arterial Roadway.

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CGC	CCG-2	Trucking, distribution
East	CGC	CCG-2	Construction equipment sales
South	CGC	CCG-2	Vacant motel
West	HI	IH	Distribution

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on October 24, 2022, the required Notice of Public Hearing signs were posted.

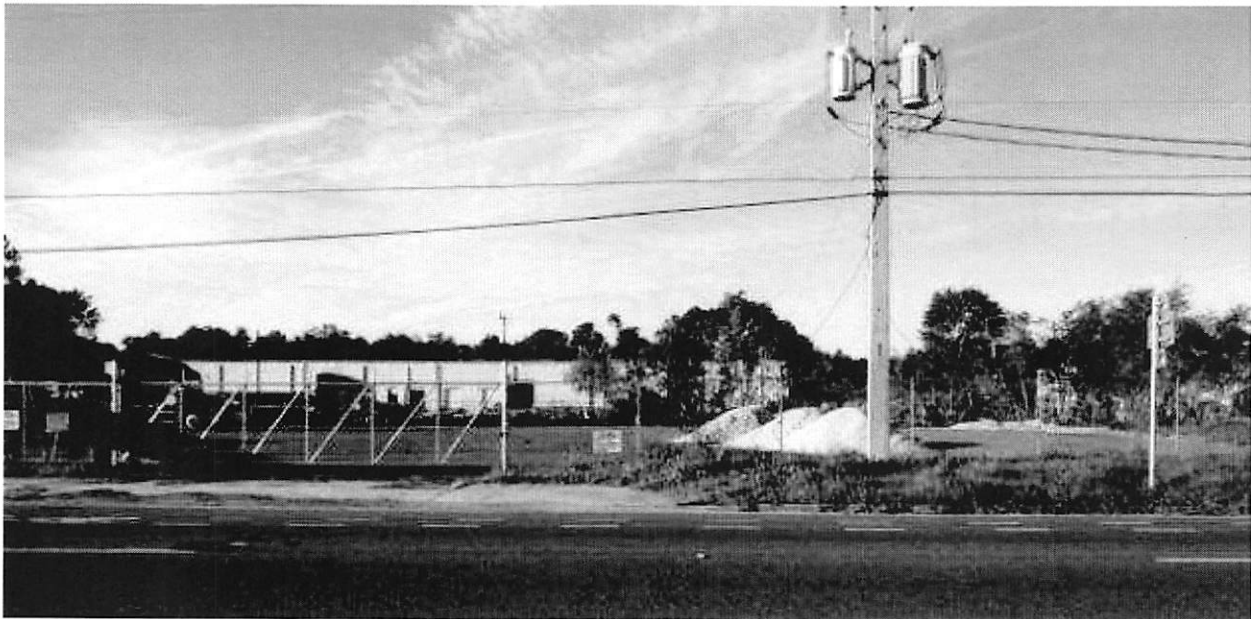


RECOMMENDATION

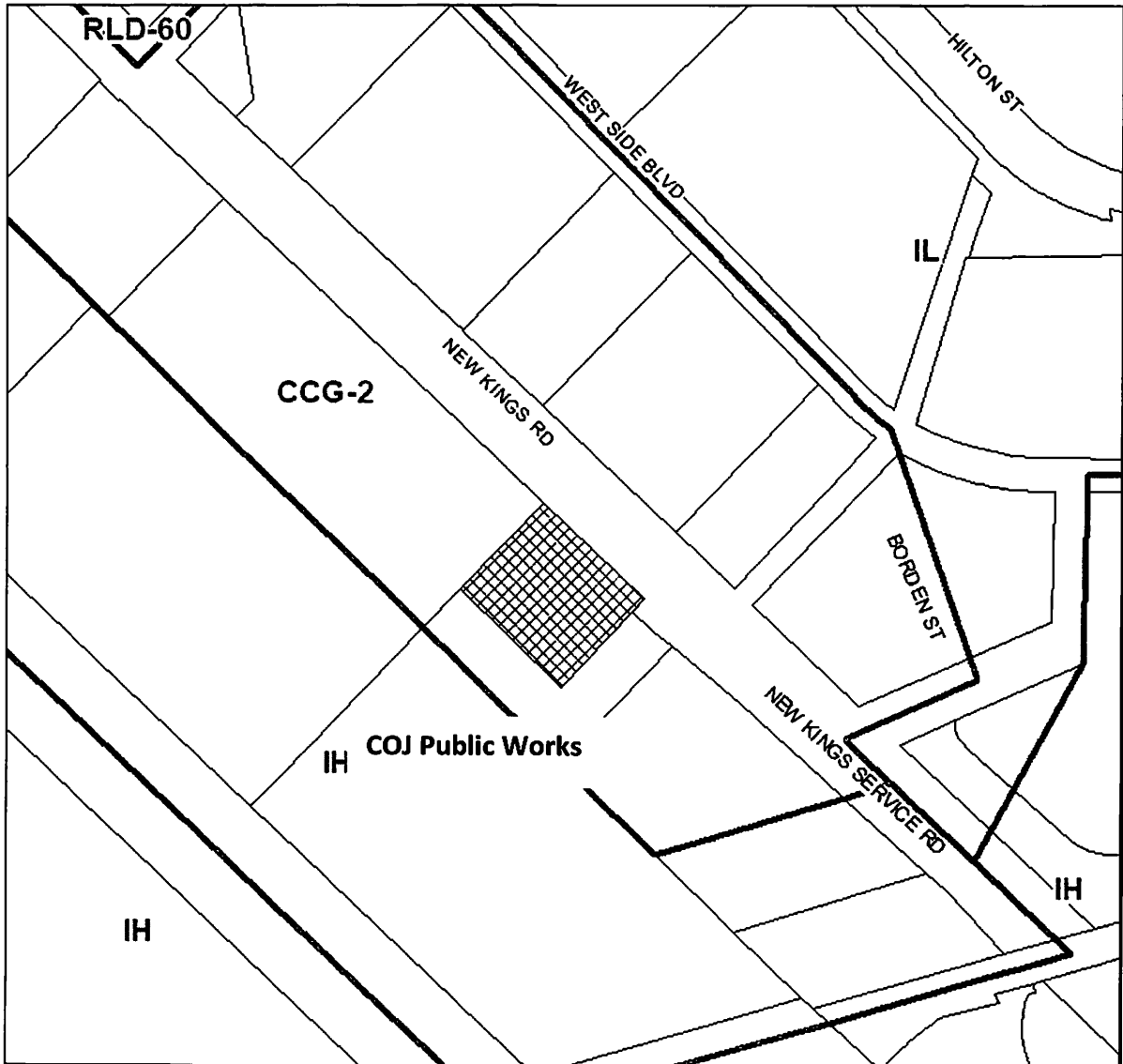
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance 2022-751 be **APPROVED**.

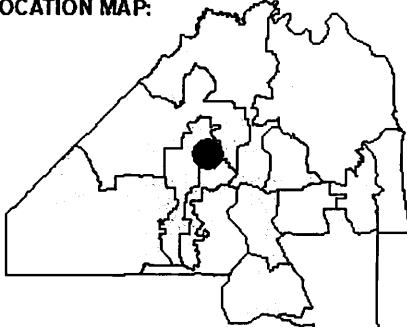



Aerial view of subject property.



View of subject property



<p>REQUEST SOUGHT:</p> <p>FROM: CCG-2</p> <p>TO: IL</p>	<p>LOCATION MAP:</p> 	 <p>0 100 200 400 Feet</p> <p>COUNCIL DISTRICT: 10</p>
<p>ORDINANCE NUMBER ORD-2022-0751</p>	<p>TRACKING NUMBER T-2022-4400</p>	<p>EXHIBIT 2 PAGE 1 OF 1</p>

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2022-0751 **Staff Sign-Off/Date** BEL / 08/30/2022

Filing Date 10/05/2022 **Number of Signs to Post** 2

Hearing Dates:

1st City Council 11/09/2022 **Planning Commission** 11/03/2022

Land Use & Zoning 11/15/2022 **2nd City Council** 11/22/2022

Neighborhood Association KINLOCK CIVIC ASSOC.

Neighborhood Action Plan/Corridor Study NONE

Application Info

Tracking # 4400

Application Status PENDING

Date Started 07/14/2022

Date Submitted 07/14/2022

General Information On Applicant

Last Name	First Name	Middle Name
EMINOV	SHAMIL	K

Company Name
FOREMOST TRUCKING LLC

Mailing Address
2217 PIERCE ARROW DR

City	State	Zip Code
JACKSONVILLE	FL	32246

Phone	Fax	Email
9045256092	904	FOREMOSTTRUCKING@YAHOO.COM

General Information On Owner(s)

Check to fill first Owner with Applicant Info

Last Name	First Name	Middle Name
EMINOV	SHAMIL	K

Company/Trust Name

Mailing Address
2217 PIERCE ARROW DR

City	State	Zip Code
JACKSONVILLE	FL	32246

Phone	Fax	Email
9045256092	904	FOREMOSTTRUCKING@YAHOO.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 084109 0000	10	5	CCG-2	IL

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

Existing Land Use Category

CGC

Land Use Category Proposed?

If Yes, State Land Use Application #

5744

Total Land Area (Nearest 1/100th of an Acre) 1.20

Justification For Rezoning Application

NEED REZONING FROM CCG2 TO IL ZONING

Location Of Property

General Location

5238 NEW KINGS RD JACKSONVILLE FL

House #	Street Name, Type and Direction	Zip Code
5238	NEW KINGS RD	32209

Between Streets

W 45TH ST and BORDON ST

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

1.20 Acres @ \$10.00 /acre: \$20.00

3) Plus Notification Costs Per Addressee

8 Notifications @ \$7.00 /each: \$56.00

4) Total Rezoning Application Cost: \$2,076.00

NOTE: Advertising Costs To Be Billed to Owner/Agent

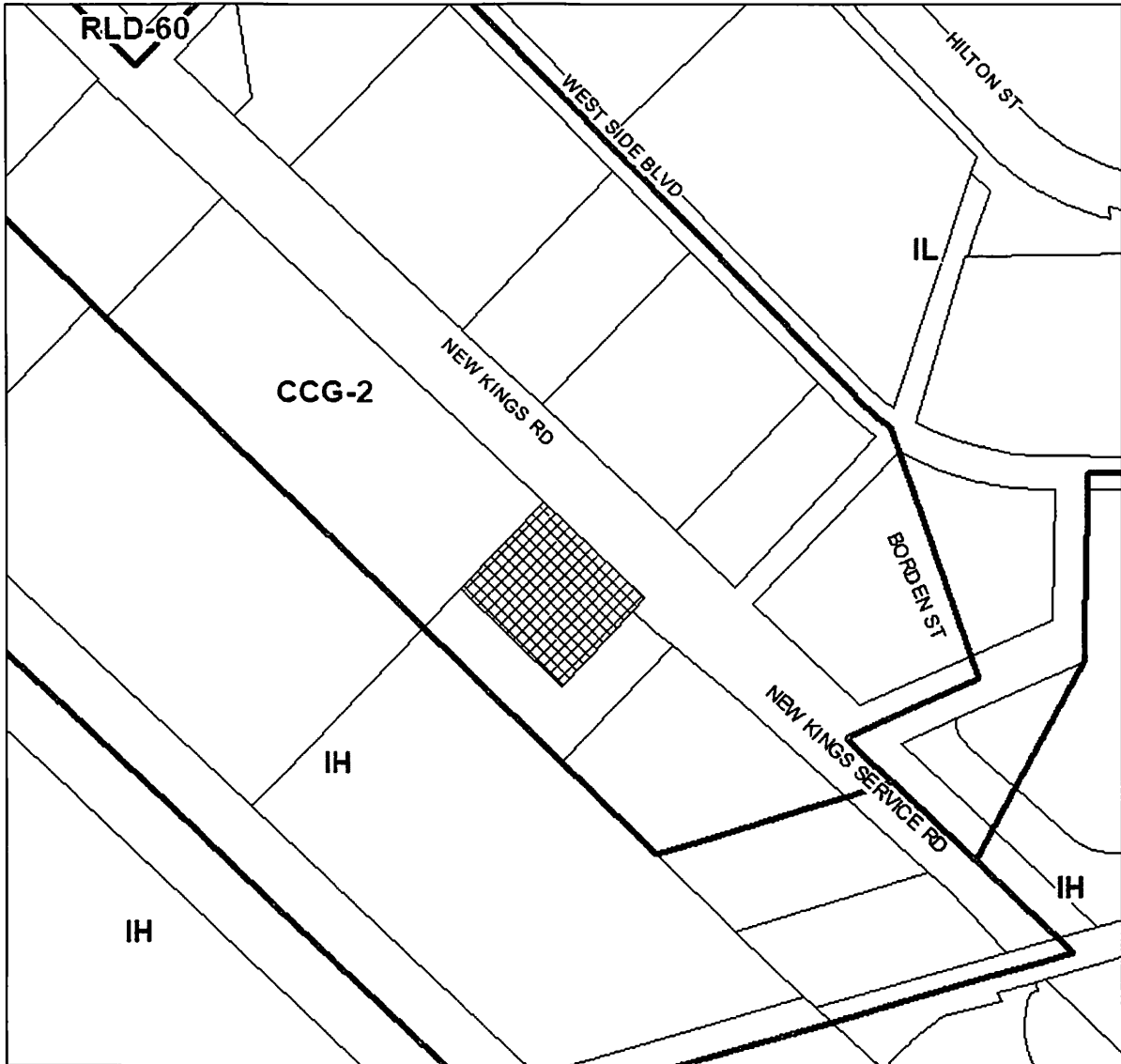
Exhibit 1
Legal Description
July 25, 2022

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

That certain tract or parcel of land, being a part of the Charles F. Sibbald Grant, Section 55, Township 2 South, Range 26 East, Duval County, Florida, and being more particularly described as:

Commencing at the intersection of an Easterly prolongation of the Southerly right of way line of Edgewood Avenue, a 100 foot right of way, with a Northerly prolongation of the Westerly right of way of State Road No. 15 (formerly State Road No. 4) also being U.S. Highway No. 1, said State Road having a right of way 120 feet wide; thence South 25°07'30" East along said Northerly prolongation and along Westerly right of way line of said State Road No. 15, a distance of 297.70 feet to a point of curve of a curve to the left; thence Southerly along said curve to the left, having a radius of 5769.65 feet, a distance of 2126.60 feet to a point of tangency of said curve; thence South 46°14'30" East along the Westerly right of way line of said State Road No. 15, a distance of 1100 feet to a point for the point of beginning;

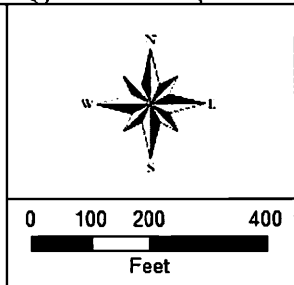
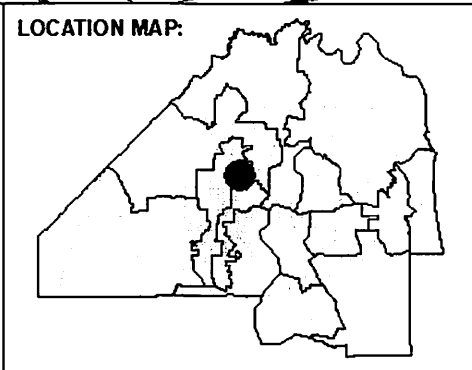
Thence continue South 46°14'30" East along the Westerly right of way line of said State Road No. 15, a distance of 250 feet; thence South 43°45'30" West, 209 feet; thence North 46°14'30" East, a distance of 209 feet to the point of beginning, as recorded in Volume 5013, Page 275 ET SEQ of the Current Public Records of Duval County, Florida.



REQUEST SOUGHT:

FROM: CCG-2

TO: IL



COUNCIL DISTRICT:

10

TRACKING NUMBER

T-2022-4400

EXHIBIT 2

PAGE 1 OF 1