

# City of Jacksonville, Florida

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*Lenny Curry, Mayor*

City Hall at St. James  
117 W. Duval St.  
Jacksonville, FL 32202  
(904) 630-CITY  
www.coj.net

May 4, 2023

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.: 2023-226**

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 felt this is an appropriate request given the character and mix of uses in the area.

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

David Hacker                     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 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 2023-226**

**MAY 4, 2023**

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 **2023-226**.

***Location:*** 340 Beverly Avenue between Stewart Avenue and Highway Avenue

***Real Estate Numbers:*** 005240-0000

***Current Zoning District:*** Commercial Community General-1 (CCG-1)

***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:*** Chris Hagan  
The Southern Group  
208 Laura Street North, Suite 170  
Jacksonville, FL 32202

***Owner*** Tripp Slaughter  
Slaughter Land Holdings, LLC  
5103 San Juan Ave  
Jacksonville, FL 32254

***Staff Recommendation:*** **DENY**

**GENERAL INFORMATION**

Application for Rezoning Ordinance **2023-226** seeks to rezone a parcel, approximately 0.67 acres from CCG-1 to the IL Zoning District in order to use a property for industrial uses. The area immediately surrounding the subject property is a mix of single family residential, trades contractors, and undeveloped parcels.

## **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 2045 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 2045 Comprehensive Plan, as a determination of consistency entails an examination of several different factors.

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

No. 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 2045 Comprehensive Plan. However, there is a companion Application for Small Scale Land Use Amendment to the Future Land Use Map Series L-5779-22C (Ordinance 2023-225) that seeks to amend the portion of the site that is within the Community General Commercial (CGC) land use category to Light Industrial (LI). Transition, compatibility, and intensity of uses are accomplished through appropriate zoning and are an important consideration to the welfare and sustainability of an area. This is especially important to a mixed use area with single-family, multi-family and commercial uses, where a new industrial use is being introduced, as is proposed in this application. Staff is recommending that Application for Small-scale Land Use Amendment to the Future Land Use Map Series L-5779-22C be denied. Therefore, the proposed rezoning is inconsistent with the FLUMs adopted as part of the 2045 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 2045 Comprehensive Plan?***

No. The proposed rezoning furthers the following goals, objectives, and policies of the 2045 Comprehensive Plan's Future Land Use Element (FLUE):

**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.

**Policy 1.1.5** The amount of land designated for future development should provide for a balance of uses that:

- A. Fosters vibrant, viable communities and economic development opportunities;
- B. Addresses outdated development patterns;

C. Provides sufficient land for future uses that allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and businesses and is not limited solely by the projected population.

**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.

**Policy 1.1.21** Future amendments to the Future Land Use Map series (FLUMs) shall include consideration of their potential to further the goal of meeting or exceeding the amount of land required to accommodate anticipated growth and the projected population of the area and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business consistent with FLUE Policy 1.1.5. The projected growth needs and population projections must be based on relevant and appropriate data which is collected pursuant to a professionally acceptable methodology. In considering the growth needs and the allocation of land, the City shall also evaluate land use need based on the characteristics and land development pattern of localized areas. Land use need identifiers include but may not be limited to, proximity to compatible uses, development scale, site limitations, and the likelihood of furthering growth management and mobility goals.

**Policy 1.1.22** Futures development orders, development permits and plan amendments shall maintain compact and compatible land use patterns, maintain an increasingly efficient urban service delivery system and discourage urban sprawl as described in the Development Areas and the Plan Category Descriptions of the Operative Provisions.

**Policy 1.2.9** Require new development and redevelopment in the Central Business District, Urban Priority Area, Urban Area, and Suburban Area to be served by centralized wastewater collection and potable water distribution systems when centralized service is available to the site. New septic tanks in this area maybe permitted only as interim facilities pursuant to the requirements of the Sanitary Sewer Sub-Element.

**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-5779-22C (Ord. 2023-225).

The subject property is located within the "Industrial Situational Compatibility" Zone. "Industrial Sanctuary" and "Industrial Situational Compatibility" Zones are areas identified on the Industrial Preservation Map (Map L-23) of the Future Land Use Map series of the Future Land Use Element of the 2030 Comprehensive Plan as strategically located industrial lands for future industrial expansion and economic development.

### SURROUNDING LAND USE AND ZONING

The subject property is located at 340 Beverly Avenue, between Stewart Avenue and Highway Avenue. The area is primarily commercial with a used car dealer, filling station, convenience store, and some industrial uses. There are also scattered single family residential dwellings in the area. Lane Avenue South is classified as a Minor Arterial. The site has access to full urban services.

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use(s)</b>
North	LI	IL	Residential
East	HI	IH	Undeveloped, residential
South	LI	IL	Emco roofing company
West	LI	IL	Knox pest control;

### SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on April 27, 2023, 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 **2023-226** be **DENIED**.



Subject property.



Outside sales and display on Highway Aveune



Industrial use on Beverly Lane



Auto repair on Beverly Lane



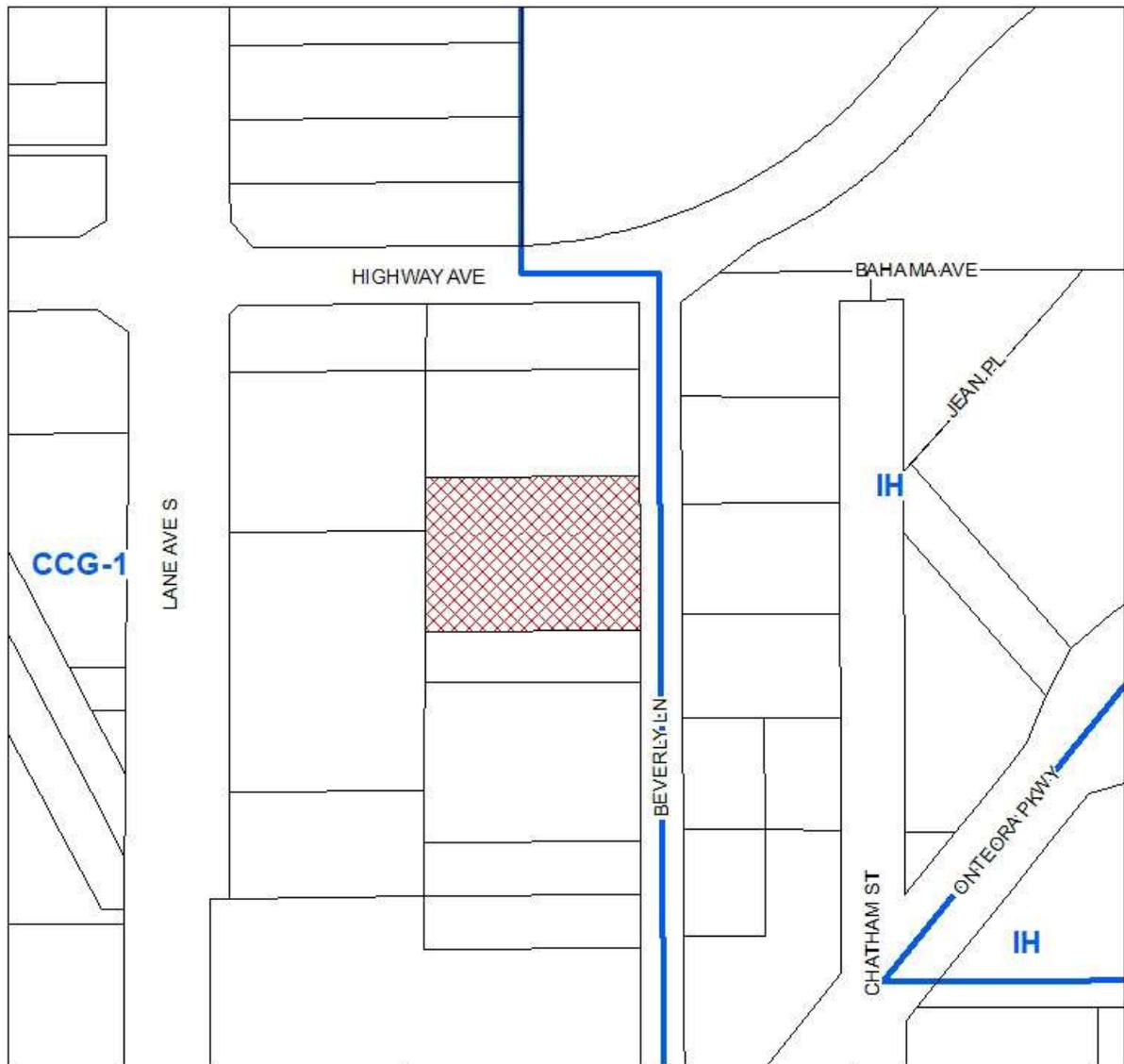
Residential dwelling on Beverly Lane



Residential dwelling on Beverly Lane



Aerial view of subject property

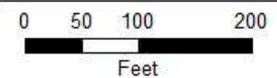
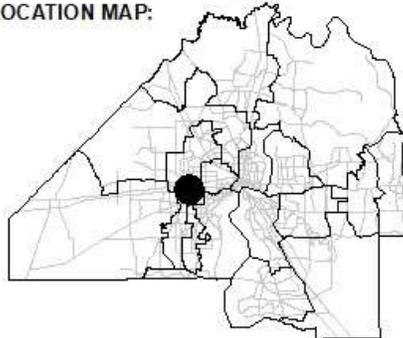


REQUEST SOUGHT:

FROM: CCG-1

TO: IH

LOCATION MAP:



COUNCIL DISTRICT:

10

ORDINANCE NUMBER

ORD-2023-0226

TRACKING NUMBER

T-2022-4457

EXHIBIT 2  
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