

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

May 18, 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.: 2023-261**

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 two speakers in opposition, including RAP whose concerns were encroachment in to residential areas with the medical clinic. The Commissioners felt this area had a mixture of residential and offices and the proposed use was similar.

Planning Commission Vote:	6-1
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Aye
Marshall Adkison	Absent
Daniel Blanchard	Aye
Jordan Elsbury	Aye
David Hacker	Nay
Morgan Roberts	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,



Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR
APPLICATION FOR REZONING ORDINANCE 2023-0261

May 19, 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 **2023-0261**.

Location: 2795 Park Street

Real Estate Number: 077790-0000

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

Proposed Zoning District: Commercial, Residential and Office (CRO)

Current Land Use Category: Medium Density Residential (MDR)

Proposed Land Use Category: Residential-Professional-Institutional (RPI)

Planning District: District 5 — Northwest

Owner: Vipul Mamtora
Probizz LLC
1360 Roberts Road
Jacksonville, Florida 32259

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2023-0261** seeks to rezone 0.15± acres of a subject property from Residential Medium Density-B (RMD-B) to Commercial, Residential and Office (CRO). The request is being sought in order to develop the property with an office use.

There is a companion Land Use Amendment (2022-0261) seeking to change the existing Medium Density Residential (MDR) Land Use Category to Residential Professional-Institutional (RPI). The Planning and Development Department is also recommending approval on the Land Use Amendment.

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 CRO Zoning is Consistent with the Riverside Avondale Overlay. The proposed Zoning District allows for Residential 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 commercial uses. The proposed Zoning District is consistent with the surrounding uses, and the proposed office use will be similar in nature to the other uses.

(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 Division will be required to review any work done on the structure prior to any permit approval.

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?*

Yes. In accordance with Section 656.129 *Advisory recommendation on amendment of Zoning Code or rezoning of land* of the Zoning Code, the Planning and Development Department finds the subject property to be located in the Medium Density Residential functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2045 Comprehensive Plan. If the companion proposed Land Use change is approved for the Residential-Professional-Institutional Land Use Category, the Rezoning will be consistent with the 204 Comprehensive Plan.

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

Yes. The 0.15 of an acre subject site is located at 2795 Park Street, between Park Street and Lydia Street. According to the City's Functional Highways Classification Map, Park Street is a collector roadway and Lydia Street is a local road. The site is in Planning District 5, Council District 14, the Urban Development Area. The site currently includes a residential structure that will not be altered. The applicant seeks to rezone from RMD-B to CRO in order to allow for a doctor's office in the existing structure on site. A companion Future Land Use Map (FLUM) amendment was also filed for this site from LDR to RPI (L-5802-23C / Ordinance 2023-260) which is pending concurrently with this application.

Residential/Professional/Institutional (RPI) in the Urban Area is intended to provide compact medium density development. Development which includes medium density residential and professional office uses is preferred. Limited commercial retail and service establishments which serve a diverse set of neighborhoods are also encouraged in order to reduce the number of Vehicles Miles Traveled. Plan amendment requests for new RPI designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. The maximum gross density within the Urban Area shall be 30 units per acre and there shall be no minimum density.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element:

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.

The proposed rezoning at the subject site would promote the balance of residential and non-residential uses, and continue the mix of uses found along Park Street.

Objective 3.2

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

The proposed rezoning to CRO would allow for a new office use to exist along Park Street. Park Street is developed with Single Family, Multi-Family, and converted residential structures for commercial use. The proposed rezoning will continue the viability of the mixed use area.

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. If approved as recommended by the Staff of the Planning and Development Department, the subject property will be rezoned from RMD-B to CRO in order to permit a new office use.

SURROUNDING LAND USE AND ZONING

The subject property is located on Park Street on the western corner of Park Street and James Street. Nonetheless, adjacent land uses and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	CGC	CCG-1	Drug Store
East	CGC	RMD-D	Multi-Family Dwellings
South	PBF	PBF-1	West Riverside Elementary
West	MDR	RMD-D	Single Family Dwellings

It is the opinion of the Planning and Development Department that the requested rezoning to CRO will be consistent and compatible with the surrounding uses.

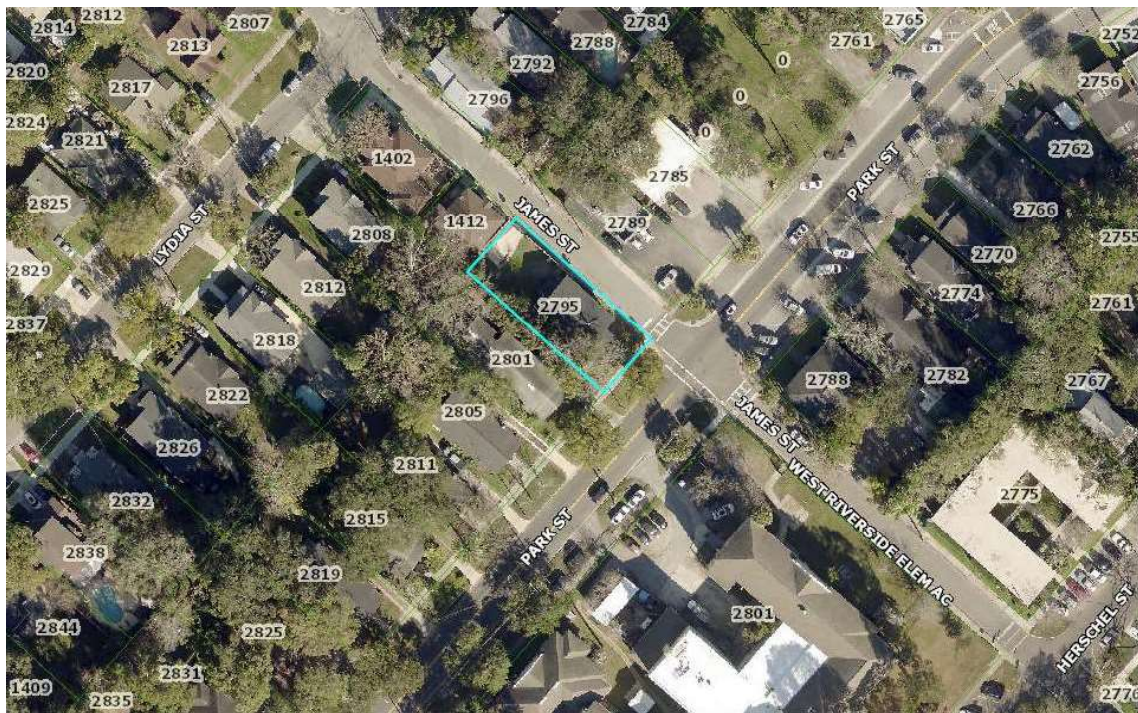
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property, the required Notice of Public Hearing signs for the Zoning Application **were not** posted. The Public Notice Sign for the Companion Land Use Amendment were posted.



RECOMMENDATION

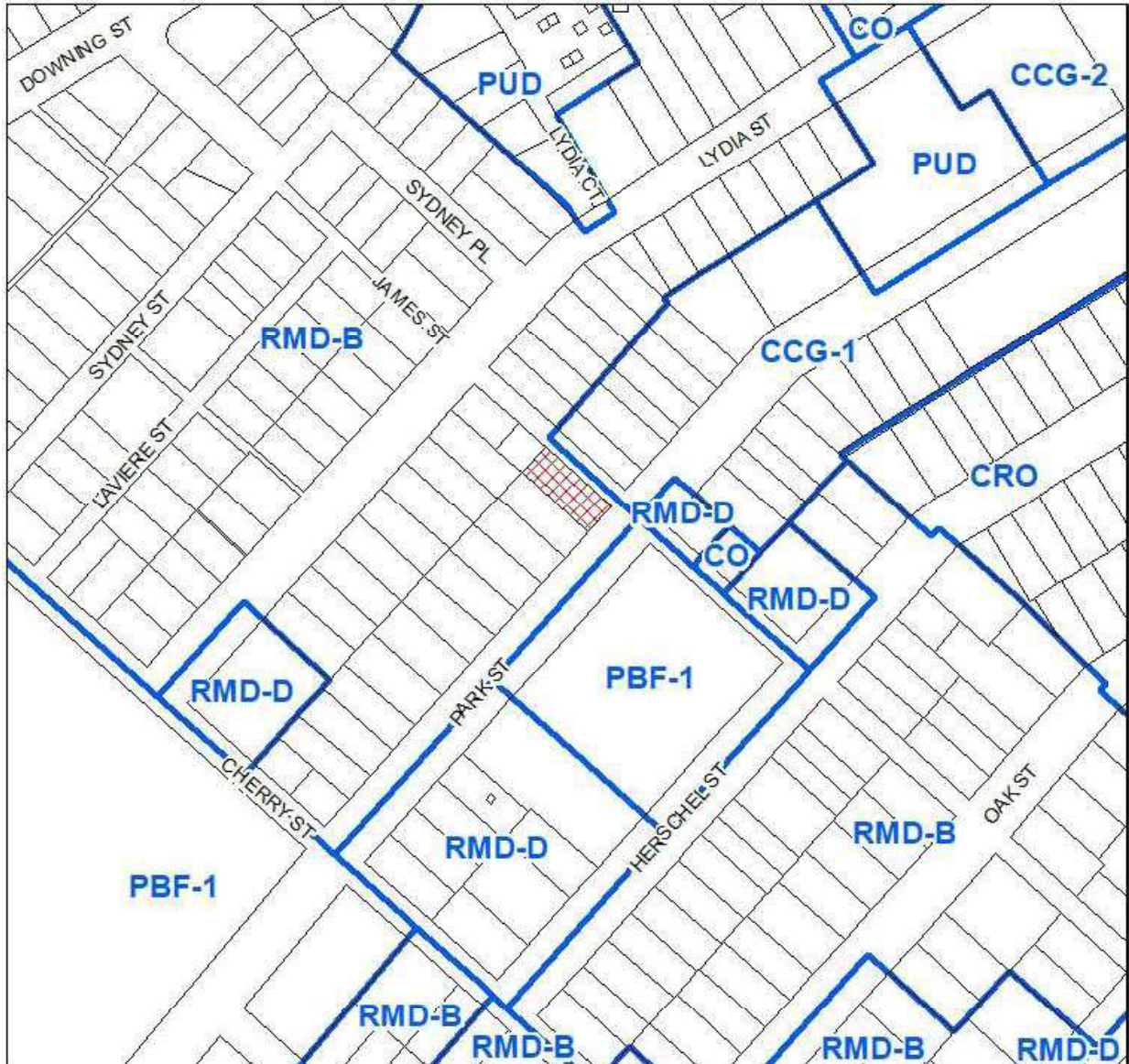
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2023-0261** be **APPROVED**.

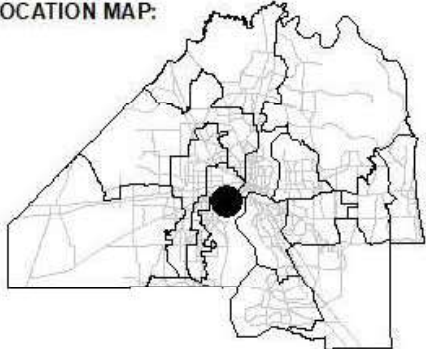
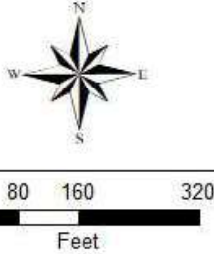


Aerial View



View of the Subject Site



<p>REQUEST SOUGHT:</p> <p>FROM: RMD-B</p> <p>TO: CRO</p>	<p>LOCATION MAP:</p> 	 <p>COUNCIL DISTRICT:</p> <p>14</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2023-0261</p>	<p>TRACKING NUMBER</p> <p>T-2023-4761</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map