

City of Jacksonville, Florida

Donna Deegan, Mayor

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

October 19, 2023

The Honorable Ronald B. Salem, Pharm. D., 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.: 2023-655

Dear Honorable Council President Salem, 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**

Charles Garrison, Chair	Aye
Daniel Blanchard, Vice Chair	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Julius Harden	Absent
Mone Holder	Absent
Ali Marar	Aye
Jack Meeks	Aye
Tina Meskel	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, 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
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Jacksonville, FL 32202
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING 2023-0655

OCTOBER 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 **2023-0655**.

Location: 8533 Malaga Avenue, 3700 Collins Road
Between Collins Road and Carmona Street

Real Estate Numbers: 100396-0000; 100397-0000

Current Zoning: Residential Low Density-60 (RLD-60)

Proposed Zoning: Recreation and Open Space (ROS)

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Recreation and Open Space (ROS)

Planning District: Southwest, District 4

Applicant / Agent: Michael Herzberg
12483 Aladdin Road, Suite 1500
Jacksonville, FL 32207

Owner: Rudder Club of Jacksonville, Inc.
8533 Malaga Avenue
Jacksonville, FL 32244

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning **2023-0655** seeks to rezone approximately 3.94 acres of land from Residential Low Density-60 (RLD-60) to Recreation and Open Space (ROS). The Rudder Club of Jacksonville currently owns and operates the two subject parcels as a boat club, and is seeking to expand their operations. The subject site is located along the western shore of St. Johns River between NAS Jax and I-295.

There is a companion Land Use Amendment, **L-5849-23C (2023-0654)** to change the land use category from LDR to ROS to be compatible with the requested ROS Zoning District and to be compatible with the existing use that is seeking the expansion.

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. The 3.94-acre subject site is located at the southeast corner of Malaga Avenue and Collins Road. The site is on the St. Johns River, approximately 400 feet north of the Buckman Bridge (I-295). Malaga Avenue and Collins Road are both unclassified roadways according to the City's Functional Highways Classification Map. Presently, the property is the home of the Rudder Club of Jacksonville, which has operated at that location since 1953. The site contains a clubhouse and provides wet and dry storage for sailboats. The applicant seeks to rezone the property from RLD-60 to ROS. There is a companion land use amendment from LDR to ROS which is pending concurrently, pursuant to ordinance 2023-654.

The site is in Planning District 4, Council District 14, and is in the Suburban Development Area. The site is in the LDR land use category. The Suburban Area generally corresponds with the urbanizing portions of the City in areas that have usually been developed after consolidation. Development should generally continue at low densities with medium density development at major corridor intersections and transit stations. Development at these locations should promote a compact and interconnected land development form and is therefore encouraged to employ urban development characteristics as defined in this Plan.

The rezoning applies to 2 parcels. One has housed the Rudder Club of Jacksonville since 1953. The club recently purchased the property on the north side of that property. In order for the sailing club to use the newly acquired parcel, the land use and zoning need to be changed to ROS. The existing site of the club has been a non-conforming use in the LDR land use category and the RLD-60 zoning district since it was being used as a sailing club prior to consolidation in 1969. The proposed land use change and rezoning will bring that parcel into compliance with current allowed uses and zoning regulations.

The proposed zoning change from RLD-60 to ROS is consistent with the proposed ROS land use category in the Suburban Development Area.

2. *Does the proposed rezoning further the goals, objectives and policies of the 2045 Comprehensive Plan?*

Yes. This rezoning is supported by the following Objectives and Policies of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan:

Goal 1 To ensure that the character and location of land uses optimize the combined potentials for economic benefit, enjoyment, wellness 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 1.1.7 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.

Objective 2.8 Protect and enhance the City's shoreline areas, inclusive of the St. John's River and its tributaries, in order to improve quality of life, provide active living opportunities for residents, ensure continued function of these critical environmental systems, and enhance the City's economic development efforts.

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.

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

No. It is the opinion of the Planning and Development Department that the proposed rezoning will not be in conflict with any portion of the City's land use regulations if the applications are approved. The proposed zoning district would be compatible with the surrounding area which is made up of single-family residential properties that are Zoned RLD-60. The ROS zoning district is passive in nature with uses consisting of parks, playgrounds, marinas, camping grounds, stables, and general open space.

SURROUNDING LAND USE AND ZONING

The subject property is located at the eastern end of Collins Road where it ends at the St. Johns River between I-295 and NAS Jax. The surrounding area around the subject site is made up of

single-family dwellings that are zoned RLD-60. The surrounding uses, land uses, and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use(s)
North	LDR	RLD-60	Single-Family Dwelling
East	WATER	WT	St. Johns River
South	LDR	RLD-60	Single-Family Dwelling
West	LDR	RLD-60	Single-Family Dwellings

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property, the required Notice of Public Hearing signs **were** posted:



RECOMMENDATION

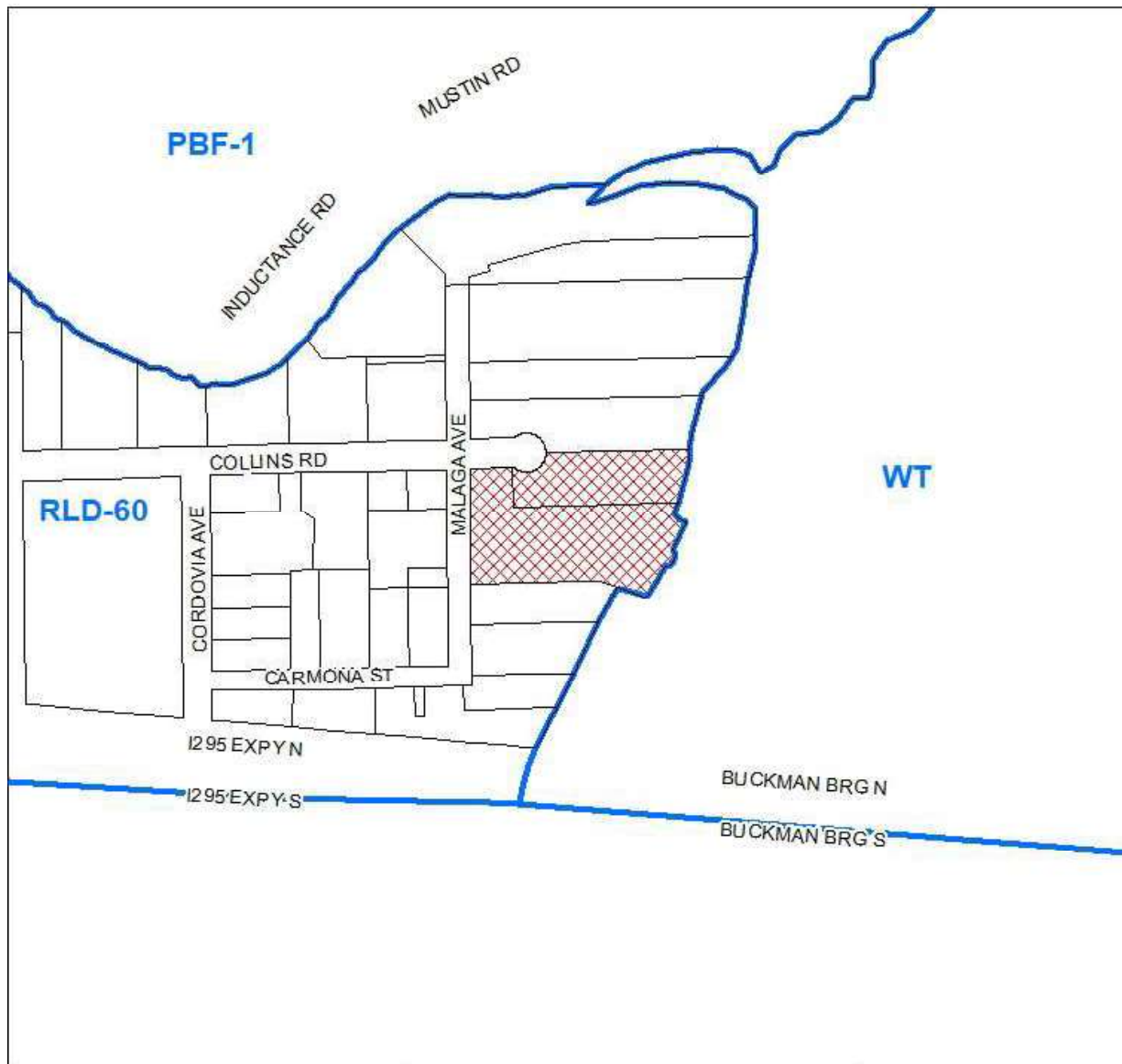
Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2023-0655** be **APPROVED**.

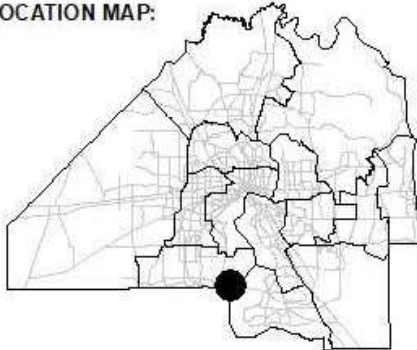



Aerial view



View of the Subject Site



<p>REQUEST SOUGHT:</p> <p>FROM: RLD-60</p> <p>TO: ROS</p>	<p>LOCATION MAP:</p> 	 <p>0 140 280 560</p> <p>Feet</p> <p>COUNCIL DISTRICT:</p> <p>14</p>
<p>ORDINANCE NUMBER</p> <p>ORD-2023-0655</p>	<p>TRACKING NUMBER</p> <p>T-2023-5059</p>	<p>EXHIBIT 2</p> <p>PAGE 1 OF 1</p>

Legal Map