



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
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Jacksonville, FL 32202
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February 8, 2024

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.: 2024-6**

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
Tina Meskel, Vice Chair	Aye
Mark McGowan, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Julius Harden	Absent
Mon'e Holder	Absent
Ali Marar	Aye

Jack Meeks

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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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FOR

APPLICATION FOR REZONING ORDINANCE 2024-0006

February 8, 2024

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 **Ord. 2024-0006**.

<i>Location:</i>	0 Shindler Drive
<i>Real Estate Numbers:</i>	015137-0500
<i>Current Zoning District:</i>	Residential Rural Acre (RR-Acre)
<i>Proposed Zoning District:</i>	Public Buildings and Facilities-2 (PBF-2)
<i>Current Land Use Category:</i>	Low Density Residential (LDR)
<i>Proposed Land Use Category:</i>	Public Buildings and Facilities (PBF)
<i>Planning District:</i>	District 4
<i>Council District:</i>	District 14
<i>Applicant/Agent:</i>	Lara Hipps Hipps Group Inc. 1650 Margaret Street, #323 Jacksonville, Florida 32204
<i>Owners:</i>	Alberta Hipps 6502 Shindler Drive Jacksonville, Florida 32222
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning **2024-0006** seeks to rezone approximately 9.62 acres of vacant land from Residential Rural-Acre (RR-Acre) to Public Buildings and Facilities-2 (PBF-2) zoning district. According to the applicant, the request for the rezoning is to develop and meet the needs of the elderly community in south Jacksonville. There is a companion Land-Use Amendment, 2024-0005, L-5890-23C. The proposed Land-Use Amendment is for Low Density Residential (LDR) to Public Building Facilities (PBF).

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 Planning and Development Department finds that the subject property is located in the Low Density Residential (LDR) 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 Semi-Annual Land Use Amendment to the Future Land Use Map Series L-5890-23C (Ordinance 2024-0005) that seeks to amend the site that is within the Low Density Residential (LDR) land use category to Public Buildings and Facilities (PBF). Staff is recommending Application for Small-Scale Land Use Amendment to the Future Land Use Map Series L-5890-23C be approved. Therefore, the proposed rezoning is consistent with the FLUMs adopted as part of the 2045 Comprehensive Plan pursuant to Chapter 650 Comprehensive Planning for Future Development of the Ordinance Code. A description of the category is noted below.

The subject site includes vacant land surrounded by single-family dwellings. The applicant seeks an amendment to the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan from Low Density Residential (LDR) to Public Buildings and Facilities (PBF) to allow the applicant's intended use of the property for an assisted living facility. A companion rezoning has been filed and is pending concurrently with the land use amendment, via Ordinance 2024-006, to change the zoning district of the site from Rural Residential-Acre (RR-Acre) to Public Buildings and Facilities-2 (PBF-2).

Suburban Area (SA): The SA is the third tier Development Area and 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.

Public buildings such as the proposed assistant living facility are allowed in the PBF land use category.

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

Yes. The proposed rezoning is consistent with the following 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 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.

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.

Airport Height Restriction Zone

The site is located within the 300-foot Height and Hazard Zone for the Cecil Field Airport. Zoning will limit development to a maximum height of 300 feet, unless approved by the Jacksonville Aviation Authority or the Federal Aviation Administration. Uses located within the Height and Hazard Zone must not create or increase the potential for such hazards as electronic interference, light glare, bird strike hazards or other potential hazards to safe navigation of aircraft as required by Section 656.1005.1(d).

Wetlands

Review of City data indicates the potential existence of wetlands on the subject site and as such, a wetlands survey has been provided by the applicant that indicates the location, size, quality and functional value of all wetlands located within the boundaries of the application site. Based on the information noted below, the proposed amendment is consistent with the Conservation/Coastal Management Element (CCME) wetlands policies.

Wetlands Characteristics:

Approximate Size: 4.83 acres

General Location(s): The wetland on site is a small portion of a larger wetland system associated with the headwaters of the Ortega River. The wetland is located on the eastern portion of the subject property and approximately 500 feet away from Ortega River. However, the river at that location is not well-defined. Due to the wetland's location on slopes, the distance from the river, the river's flat elevation at

the headwaters, the wetland does not have a direct impact on the City's waterways.

Quality/Functional

Value:

The wetland has a high functional value for water filtration attenuation and flood water capacity and a small portion of the wetland on the property is located in flood zones yet has an indirect impact on the City's waterways.

*Soil Types/
Characteristics:*

(35) - Lynn Haven Fine Sand- The Lynn Haven series are gently sloping, poorly drained, sandy, generally found on flats and in steep areas of side slopes, formed in thick beds of sandy marine sediment. The wetland soils areas have water tables near or above the ground surface.

Wetland Category:

Category III

*Consistency of
Permitted Uses:*

Category III Wetlands: Uses permitted subject to the limitations of CCME Policy 4.1.6 shown below – conservation uses permitted.

Environmental Resource

Permit (ERP):

A wetlands boundary determination application to the St. Johns River Water Management District was issued ERP # 141769-2.

Wetlands Impact:

None anticipated at this time although the wetlands along the southern boundary area have been impacted by the overhead power lines.

Associated Impacts:

AE Flood Zone, 0.2 Percent Flood Hazard Area associated with the headwaters of Ortega River and the Adaptation Action Area (AAA).

Relevant Policies:

CCME Policies 4.1.3 and 4.1.6

Aerial View of Wetlands



Source: JaxGIS, 1/30/2024

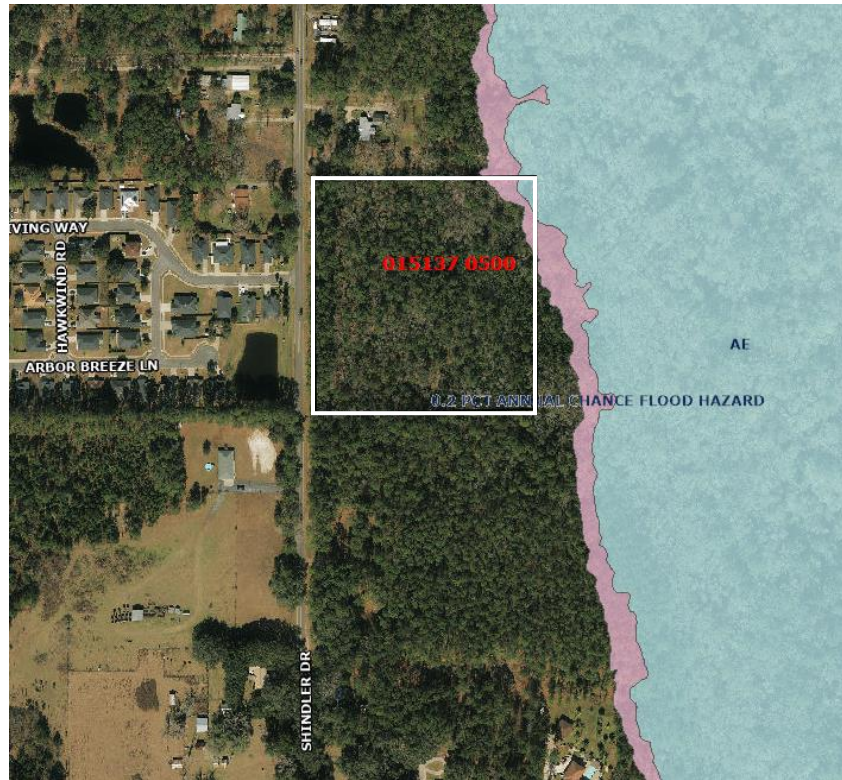
Flood Zone

Approximately 0.08 of an acre of the subject site is within the AE Flood Zone and 0.22 of an acre is located in the 0.2 Percent Chance Annual Hazard Area. Flood zone designations are assigned by the Federal Emergency Management Agency (FEMA). FEMA defines the various flooding characteristics of different lands based on a 100-year storm. The 100-year storm or Special Flood Hazard Area (SFHA) refers to a flood occurring from a storm event that happens an average of every 100 years. This does not mean that a storm of this type will happen every 100 years. There is a 1-percent chance that a storm of this magnitude will occur in any given year.

The AE Flood Zones are areas within the 100-year floodplain or SFHA where flood insurance is mandatory. The 0.2 PCT Annual Chance Flood Hazard area is within the 500-year floodplain and outside of the SFHA. Flood insurance is not mandatory within these flood zones. The areas are deemed to be subject to moderate flood hazards.

Any development within the floodplain will be required to comply with Chapter 652, the Floodplain Management Ordinance.

Aerial View of Flood Zone



Source: JaxGIS, 1/30/2024

Adaptation Action Area (AAA)

Approximately 1.11 acres of the amendment site is located within the AAA. The AAA boundary is a designation in the City's 2045 Comprehensive Plan which identifies areas that experience coastal flooding due to extreme high tides and storm surge, and that is vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure needs and adaptation planning. The AAA is defined as those areas within the projected limit of the Category 3 storm surge zone, those connected areas of the 100-year and 500-year Flood Zone, and additional areas determined through detailed flood analysis.

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

No. The subject property meets the requirements for PBF-2 zoned property as required by Section 656.332 of the Zoning Code. The subject site is accessed from Shindler Drive.

SURROUNDING LAND USE AND ZONING

The subject property is located on Shindler Road. The proposed rezoning is to develop a senior living facility on the vacant, undeveloped property. The zoning districts surrounding the subject properties are RR-Acre to the north, east, west, and south; RLD-90 to the north; and RLD-60 to

the north. The surrounding areas and uses are primarily single-family homes for residential use. Therefore, the proposed rezoning for a senior living facility would be a new use but would also fit the character of the area. The surrounding uses, land use category and zoning are as follows:

Adjacent Properties	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60; RLD-90; RR-Acre;	Single-family dwellings
East	LDR	RR-Acre	Vacant Governmental; Vacant Residential; Park; Retention Pond
South	ROS; LDR	ROS; RR-Acre	Vacant Governmental; Pasture; Single-family dwellings
West	LDR	PUD (2005-0245); RR-Acre	Single-family dwellings

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property, the required Notice of Public Hearing signs were posted on **January 23, 2024**.



Source: *Planning & Development Department. 1/23/2024*

RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning **2024-0006** be **APPROVED**.

Aerial of subject site



Subject Property



Source: Planning & Development Department, 1/23/2024

Neighborhood across from Subject Property



Source: *Planning & Development Department, 1/23/2024*

Legal Map

