



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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Jacksonville.gov

March 6, 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.: 2024-95**

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	Absent
Mark McGowan, Secretary	Aye
Lamonte Carter	Aye
Amy Fu	Aye
Julius Harden	Absent
Mon'e Holder	Aye
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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Jacksonville, FL 32202
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT FO**APPLICATION FOR REZONING ORDINANCE 2024-0095****MARCH 7, 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 Ordinance **2024-0095**.

<i>Location:</i>	9179 Garden Street
<i>Real Estate Number:</i>	002866-0200
<i>Current Zoning District:</i>	Agriculture (AGR)
<i>Proposed Zoning District:</i>	Commercial Neighborhood (CN)
<i>Current Land Use Category:</i>	Agriculture (AGR)
<i>Proposed Land Use Category:</i>	Neighborhood Commercial (NC)
<i>Planning District:</i>	Northwest, District 5
<i>Council District:</i>	District 12
<i>Applicant:</i>	Cyndy Trimmer, Esq. Driver, McAfee, Hawthorne and Diebenow, PLLC 1 Independent Drive, Suite 1200 Jacksonville, FL. 32202
<i>Owner:</i>	Glodev Inc. P.O. Box 47228 Jacksonville, FL. 32247
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2024-0095** seeks to rezone 4.0± acres of a property from Agriculture (AGR) to Commercial Neighborhood (CN). The subject site is located along Garden Street, an area that has been agricultural throughout the City's history, but has recently shifted development towards single-family subdivisions. The applicant is seeking to rezone the site to commercial to allow the site to serve the rapidly expanding residential area. 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. There is a companion Land Use Amendment, **2024-0094 (L-5880-23C)**. The proposed Land Use Amendment is for Agriculture (AGR) to Neighborhood Commercial (NC).

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 2045 Comprehensive Plan?

Yes. The 4.00-acre subject site is located along the north side of Garden Street, a collector road, between Messer Road and Sierra Oaks Boulevard, both unclassified roadways. The site is currently used for agricultural purposes. The property is in Council District 12 and Planning District 5. The property is also located in the Suburban Development Area as identified in the Future Land Use Map series (FLUMs) of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

The applicant seeks to rezone from AGR to CN to allow for commercial neighborhood development. A companion Future Land Use Map (FLUM) amendment was also filed for this site from AGR to NC (L-5880-23C / Ordinance 2024-95) which is pending concurrently with this application.

Neighborhood Commercial (NC) is a category primarily intended to provide commercial retail and service establishments which serve the daily needs of nearby residential neighborhoods. These uses shall generally be located within walking distance of residential neighborhoods in order to reduce the number of Vehicles Miles Traveled. All uses should be designed in a manner which emphasizes the use of transit, bicycle, and pedestrian mobility, ease of access between neighboring uses, and compatibility with adjacent residential neighborhoods. Density, location and mix of uses shall be pursuant to the Development Areas as set forth herein. NC designations are preferred in locations which abut a roadway classified as a collector or higher on the Functional Highway Classification Map.

The proposed zoning change to CN is consistent with the proposed NC land use category.

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.

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

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan. According to the Future Land Use Element (FLUE).

Future Land Use Element:

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 1.1.22 Future 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.

Objective 1.6 The City shall accommodate growth in Jacksonville by encouraging and facilitating new infill development and redevelopment on vacant, bypassed and underutilized land within areas that already have infrastructure, utilities, and public facilities, while addressing the needs of City residents.

Objective 3.2 Promote and sustain the viability of existing and emerging commercial and industrial areas in order to achieve an integrated land use fabric which will offer a full range of employment, shopping, and leisure opportunities to support the City's residential areas.

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

No. If the proposed Land Use Amendment is approved, the proposed rezoning would not be 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 AGR to CN to allow commercial uses in the Neighborhood Commercial Functional Land Use Category.

SURROUNDING LAND USE AND ZONING

The subject property is located on the north side of Garden Street, classified as a collector roadway. Another ordinance (2023-0853) recently changed a nearby parcel along Garden Street from PUD to CCG-1 to also allow for general commercial uses. Properties along Garden Street in the immediate area consist of Single Family Homes and Agricultural uses. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	AGR	AGR	Undeveloped / Pond
South	LDR	RLD-90	Single Family Dwellings
East	AGR	AGR	Undeveloped Agriculture
West	AGR	AGR	Single Family Dwelling

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

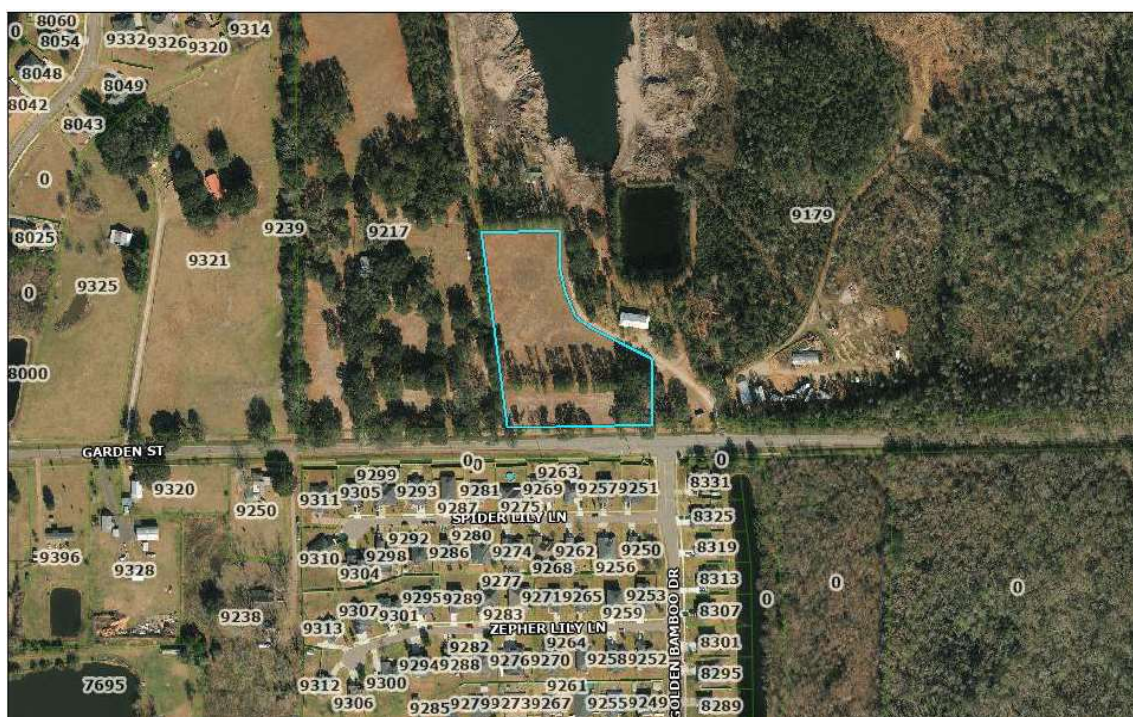
SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **February 27, 2024** by the Planning and Development Department, 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 **2024-0095** be **APPROVED**.



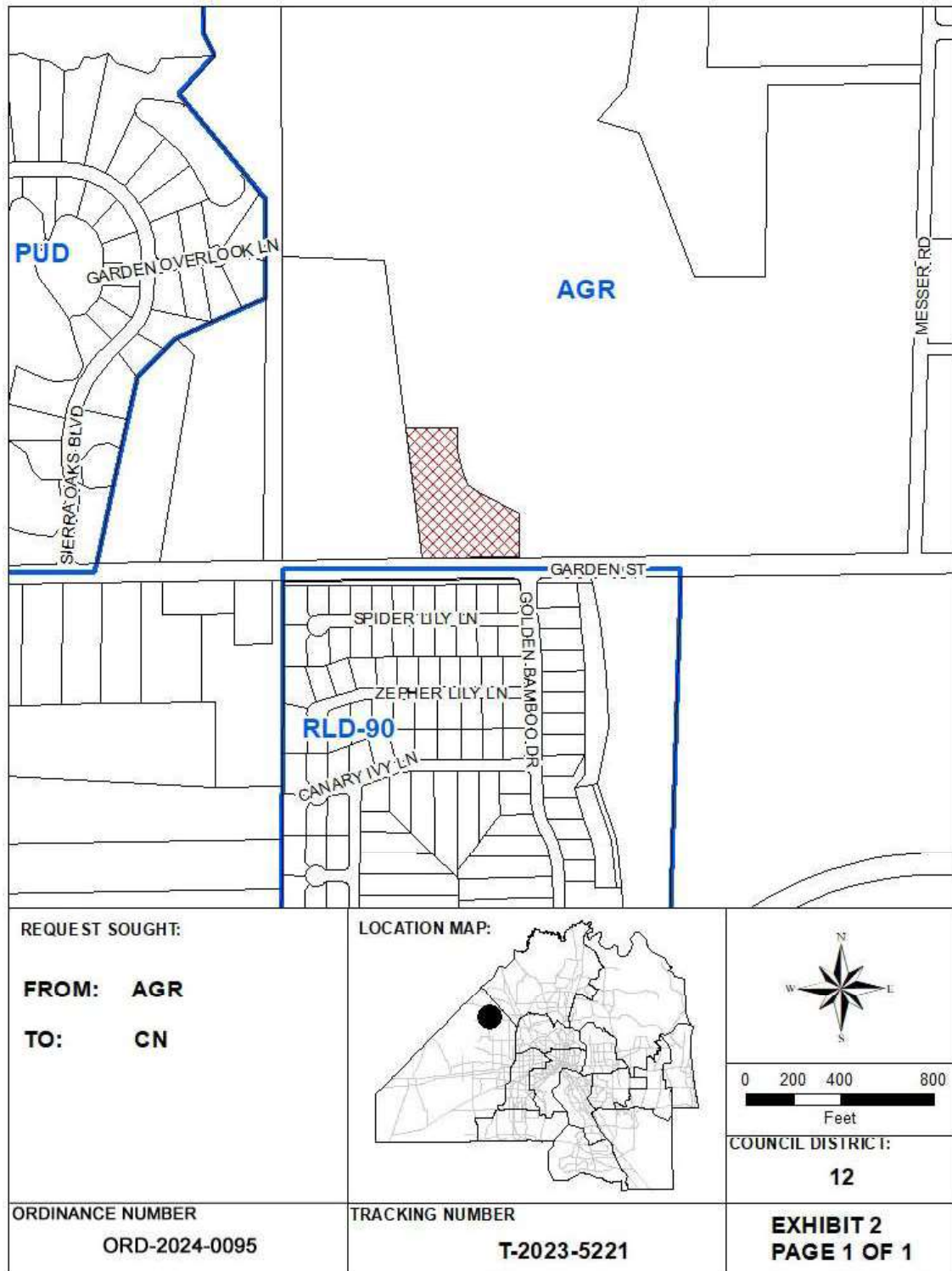
Aerial View



View of the Subject Site



View of the neighboring subdivision



Legal Map