



A NEW DAY.

City of Jacksonville, Florida

Donna Deegan, Mayor

Planning and Development Department
214 N. Hogan St., Suite 300
Jacksonville, FL 32202
(904) 630-CITY
Jacksonville.gov

April 18, 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.: 2024-233**

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 was one speaker in opposition who is concerned about drainage. There was little discussion among the Commissioners.

Planning Commission Vote: **6-0**

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

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
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 2024-0233****APRIL 18, 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 **2024-0233**.

<i>Location:</i>	4717 Shelby Avenue
<i>Real Estate Number:</i>	069466-0000
<i>Current Zoning District:</i>	Planned Unit Development (PUD Ord. # 1992-1008)
<i>Proposed Zoning District:</i>	Residential Low Density-40 (RLD-40)
<i>Current Land Use Category:</i>	Low Density Residential (LDR)
<i>Planning District:</i>	District 4 – Southwest
<i>Council District:</i>	District 7
<i>Applicant:</i>	Wyman Duggan, Esq. Rogers Towers, P.A. 1301 Riverplace Boulevard, Suite 1500 Jacksonville, Florida 32207
<i>Owner:</i>	The Episcopal Church in the Diocese of Florida, Inc. 325 North Market Street Jacksonville, Florida 32205
<i>Staff Recommendation:</i>	APPROVE

GENERAL INFORMATION

Application for Rezoning Ordinance **2024-0233** seeks to rezone approximately 1.27± acres of a property from Planned Unit Development (PUD) with Ordinance # 1992-1008 to Residential Low Density-40 (RLD-40). The subject property is surrounded by single family dwellings within the Residential Low Density-60 (RLD-60) zoning district. The property is located in the Low Density Residential (LDR) land use category within the Urban Area of the Future Land Use Element of the 2045 Comprehensive Plan. The property is currently vacant.

The current PUD 1992-1008 was used for the Episcopal Church in the Diocese of Florida, Inc. to operate as a child and adult care center in order to accommodate 150 children, adults, and staff in

addition to the church use. This portion of the property for the requested rezoning was originally going to be used for the parking lot, an egress point and overflow parking.

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 1.27-acre subject site is located along the south side Shelby Avenue at the corner of Harkisheimer Avenue, both unclassified roadways. The site is west of Blanding Boulevard and is in Planning District 4, Council District 7, and is in the Urban Development Area. The subject site is in the LDR land use category. The applicant seeks to rezone the subject site from PUD to RLD-40.

Low Density Residential (LDR) is a category intended to provide for low density residential development. Generally, single-family detached housing should be the predominant development typology in this category. The maximum gross density in the Suburban Area shall be 7 units/acre when centralized potable water and wastewater services are available to the site and there shall be no minimum density. The maximum gross density shall be 2 units/acre and the minimum lot size shall be half an acre when both centralized potable water and wastewater are not available. The maximum gross density shall be 4 units/acre and the minimum lot size shall be ¼ of an acre if either one of centralized potable water or wastewater services are not available.

RLD-40 is a primary zoning district in the LDR 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 listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2045 Comprehensive Plan.

Future Land Use Element

Policy 1.1.21

Rezoning and 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 and to allow for the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business with the intent that this balance of uses shall:

- 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.

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.

The subject property is surrounded by single-family dwellings and if approved the proposed residential development would allow for RLD-40 uses. This requested rezoning to RLD-40 is to allow development of single-family dwellings on lots smaller in size. This potentially rezoning would follow Policy 1.1.21 by fostering the community and providing economic development opportunities.

Objective 3.1

Continue to maintain adequate land designated for residential uses which can accommodate the projected population and provide safe, decent, sanitary and affordable housing opportunities for residents. Protect single-family residential neighborhoods by requiring that any other land uses within single-family areas meet all applicable requirements described in the Development Areas and the Plan Category Descriptions of the Operative Provisions of the Comprehensive Plan and Land Development Regulations.

As the subject property is completely surrounded by single-family dwellings and is currently vacant, allowing for a rezoning to a residential zoning district would promote Objective 3.1, if approved. The requested rezoning would protect the single-family area, as this would allow more single-family dwellings to be built. As previously stated, this will also provide housing opportunities for the community.

Airport Environment Zone

The site is located within the 300-foot Height and Hazard Zone for the Naval Air Station Jacksonville. 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).

Objective 2.6

Support and strengthen the role of Jacksonville Aviation Authority (JAA) and the United States Military in the local community, and recognize the unique requirements of the City's other airports (civilian and military) by requiring that all adjacent development be compatible with aviation-related activities in accordance with the requirements of Section 163.3177, F.S.

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 Planned Unit Development (PUD) to RLD-40 to be developed with single family dwellings.

SURROUNDING LAND USE AND ZONING

The subject site is located along Shelby Avenue, a local roadway. Shelby Avenue is located between Cassat Avenue and Blanding Boulevard, both classified as arterial roadways. The subject property is surrounded by single-family dwellings. The only exceptions to this are that there is a church to the west and vacant land to the south of the subject site. The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	LDR	RLD-60	Single Family Dwellings
South	LDR	PUD (1992-1008)	Vacant
East	LDR	RLD-60	Single Family Dwellings
West	LDR	PUD (1992-1008)	Church

It is the opinion of the Planning and Development Department that the requested rezoning to RLD-40 will be consistent and compatible with the surrounding uses.

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **April 4th, 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 **2024-0233** be **APPROVED**.



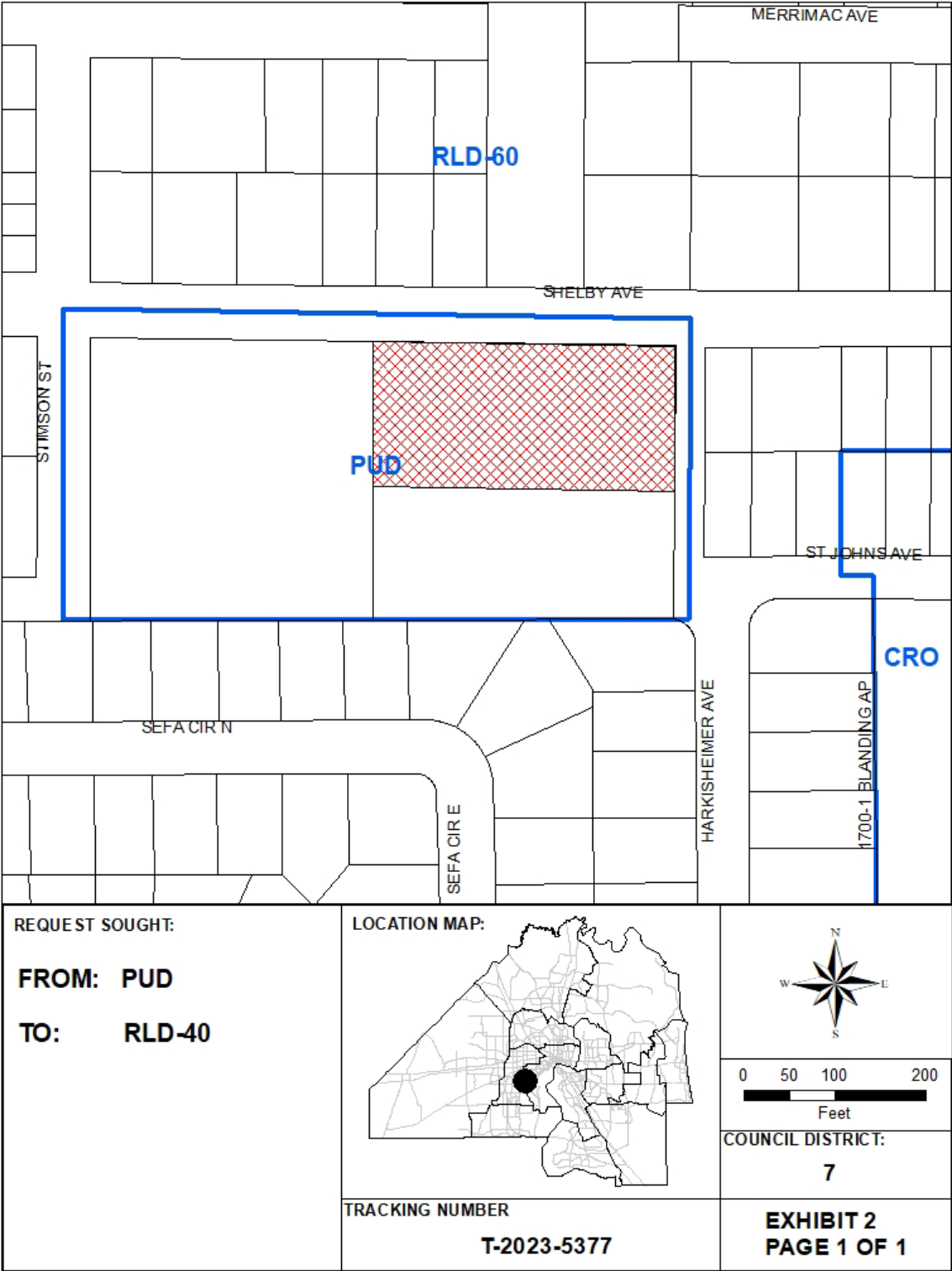
Aerial View



View of the Subject Property from Shelby Avenue.



View of the Subject Property from Shelby Avenue.



Legal Map