



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

November 21, 2024

The Honorable Randy White  
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.: 2024-825**

Dear Honorable Council President White, 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: **5-0**

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

Ali Marar	Absent
Jack Meeks	Absent
Lara Diettrich (alternate)	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  
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 2024-0825**

**NOVEMBER 21, 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 **2024-0825**.

***Location:*** 5446 Old Middleburg Road South, 5438 Old Middleburg Road South, 5440 Old Middleburg Road South, and 8944 103<sup>rd</sup> Street; south of 103<sup>rd</sup> Street and west of Old Middleburg Road South

***Real Estate Number:*** 015221 0010; 015224 0010; 015225 0010; 015225 0200

***Current Zoning District:*** Residential Rural-Acre (RR-Acre)  
Commercial Office (CO)

***Proposed Zoning District:*** Residential Medium Density-D (RMD-D)

***Current Land Use Category:*** Low Density Residential (LDR)  
Residential Professional Institutional (RPI)

***Proposed Land Use Category:*** Medium Density Residential (MDR)

***Planning District:*** Southwest, District 4

***Council District:*** District 12

***Applicant:*** Gregory Matovina  
Matovina Company  
12443 San Jose Boulevard, Suite 504  
Jacksonville, FL 32223

***Owner:*** Kelly M James & Gloria G James  
5540 Old Middleburg Road South  
Jacksonville, FL 32222

The Estate of Regina Joan Darling James  
C/o Dawn Motes and Kelly M James  
PO Box 14697  
Jacksonville, FL 32238

*Staff Recommendation:*

**APPROVE**

### **GENERAL INFORMATION**

Application for Rezoning Ordinance **2024-0825** seeks to rezone approximately 7.38± acres of property from Residential Rural-Acre (RR-Acre) and Commercial Office (CO) to Residential Medium Density-D (RMD-D). The applicant has submitted a companion small scale Land Use Amendment (**Ordinance 2024-0824 / L-5979-24C**), which seeks to amend the existing land use from Low Density Residential (LDR) and Residential Professional Institutional (RPI) to Medium Density Residential (MDR). The applicant is seeking the rezoning in order to develop the property with multi-family dwellings.

Per the Medium Density Residential (MDR) land use category, the minimum density requirement is 7 units per acre, with a maximum of 20 units per acre when connected to centralized water and sewer. Per the submitted JEA availability letter, the applicant seeks to develop the property with 80 townhomes.

This segment of Old Middleburg Road S between Argyle Forest Boulevard and 103rd Street is a 2-lane minor arterial roadway operating at 63% of capacity. This segment currently has a maximum daily capacity of 22,400 vehicles per day (vpd) and average daily traffic of 14,218 vpd. The applicant requests 80 multi-family dwelling units (ITE Code 220) which could produce 741 daily trips. This development is subject to mobility fee review and Pursuant to Policies 4.1.4, 4.1.5, and 4.1.8 of the Transportation Element of the 2045 Comprehensive Plan.

### **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 with the approval of the companion small scale Land Use Amendment (**2024-0824 / L-5979-24C**) the subject property will be located in the Medium Density Residential (MDR) functional land use

categories 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. According to the Future Land Use Element (FLUE), MDR in the Suburban Development Area is intended to provide compact medium density residential development. Plan amendment requests for new MDR designations are preferred in locations that are supplied with full urban services and in locations that serve as a transition between commercial and residential land uses. Multi-family and single-family dwellings are the predominant development typology in this category. The maximum gross density in the Suburban Development Area shall be 20 units per acre, and the minimum gross density shall generally be greater than seven (7) units per acre. In the absence of the availability of centralized water and sewer, the maximum gross density of development permitted in this category shall be the same as allowed in Low Density Residential (LDR) without such services.

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.

**Future Land Use Element**

**Policy 1.1.10**

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.

**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. The proposed rezoning is not in conflict with any portion of the City's land use regulations. If approved as recommended by the Planning and Development Department, the subject property will be rezoned from RR-Acre to RMD-D in order to develop multi-family dwellings.

**SURROUNDING LAND USE AND ZONING**

The subject site is located near the intersection of 103<sup>rd</sup> Street and Old Middleburg Road South. North of the application site is a commercial corridor with a variety of uses including a shopping center and gas station. To the south and west continues the RR-Acre low density lot typology. Approval of the rezoning request to RMD-D would allow for a transition between commercial and low density residential. The adjacent land use categories and zoning districts are as follows:

<b>Adjacent Property</b>	<b>Land Use Category</b>	<b>Zoning District</b>	<b>Current Use</b>
<b>North</b>	CGC	CCG-2	Shopping center
<b>South</b>	LDR	RR-Acre	Single-family dwellings
<b>East</b>	LDR/CGC	RR-Acre/CO	Single-family dwellings, gas station
<b>West</b>	LDR	RR-Acre	Vacant

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

**SUPPLEMENTARY INFORMATION**

The applicant provided proof of posting on **November 14, 2024** to the Planning and Development Department, that the 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 **2024-0825** be **APPROVED**.



*Source: Planning & Development, 11/14/2024*

**Aerial view of the subject property, facing north.**



*Source: Planning & Development, 11/14/2024*

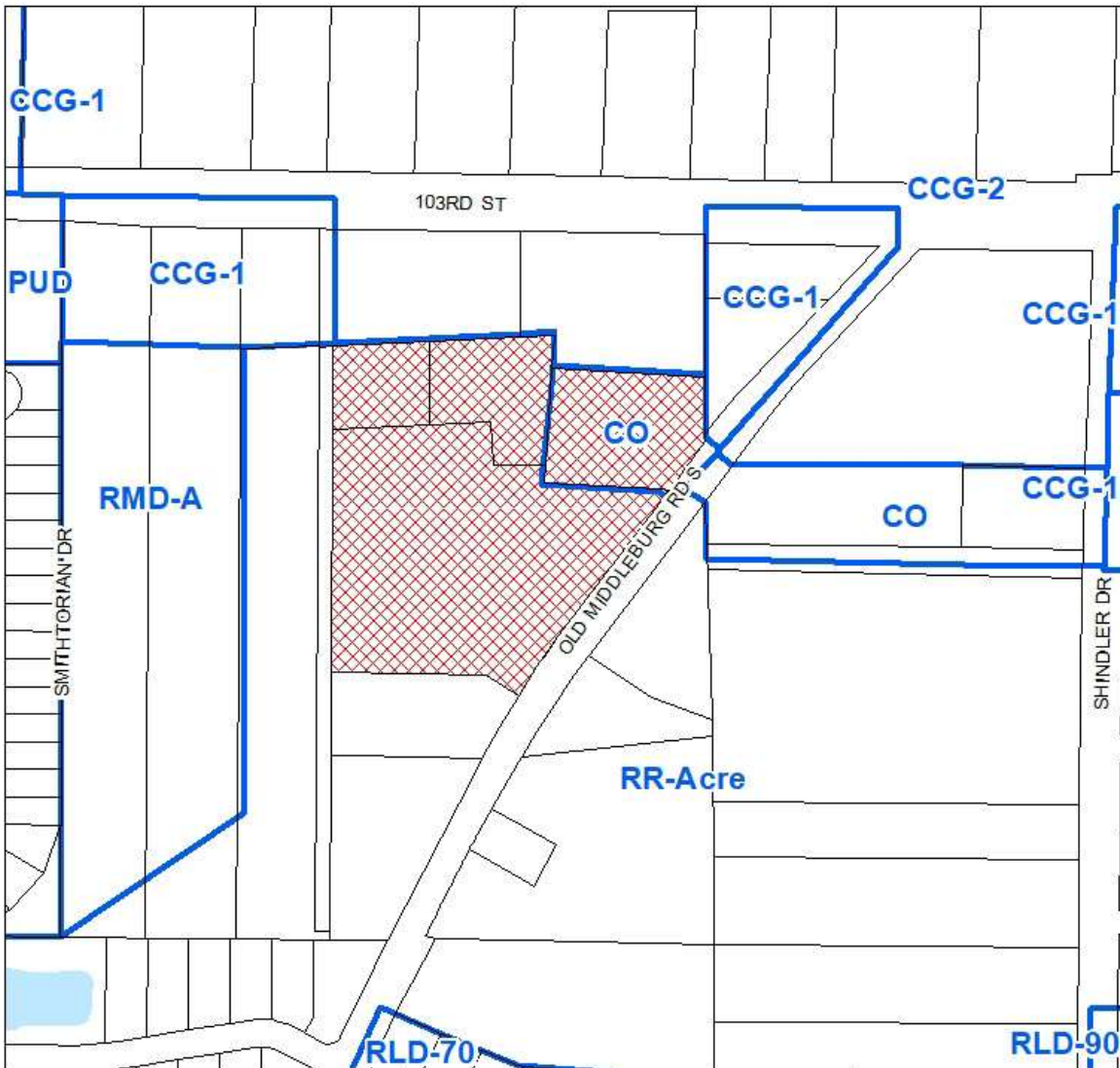
**View of the subject property from Old Middleburg Road S.**





*Source: Planning & Development, 11/14/2024*

**View of the subject property from Old Middleburg Road S.**





<p>REQUEST SOUGHT:</p> <p><b>FROM: CO &amp; RR-ACRE</b></p> <p><b>TO: RMD-D</b></p>	<p>LOCATION MAP:</p> 	 <p>0 100 200 400 Feet</p> <p>COUNCIL DISTRICT: <b>12</b></p>
<p><b>ORD 2022-0901</b></p> <p>ORD-2024-0825</p>	<p>TRACKING NUMBER</p> <p><b>T-2024-5823</b></p>	<p><b>EXHIBIT 2</b></p> <p><b>PAGE 1 OF 1</b></p>