



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

January 9, 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.: 2024-0909**

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 was one speaker in opposition, neighbor to the subject parcel, who had concerns regarding the density, buffers, privacy and the transition of uses. The Commission felt the use was appropriate for the property given the surrounding existing developments and had no concerns.

Planning Commission Vote: **6-0**

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

Ali Marar

Absent

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 "Erin L. Abney". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Erin L. Abney, MPA

Chief, Current Planning Division
Planning & Development Department
214 North Hogan Street, 3rd Floor
Jacksonville, FL 32202
(904) 255-7817; EAbney@coj.net

REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT TO

APPLICATION FOR REZONING ORDINANCE 2024-0909

JANUARY 9, 2025

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 **2024-0909**.

Location: 0 Newton Road and 0 Cargal Street
Western Terminus of Cargal Street

Real Estate Numbers: 136163-0000; 136257-0000

Current Zoning District: Residential Rural-Acre (RR-Acre)

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

Current Land Use Category: Low Density Residential (LDR)

Proposed Land Use Category: Medium Density Residential (MDR)

Planning District: District 3 – Southeast

Council District: District 4

Applicant/Agent: Cyndy Trimmer, Esq.
Driver, McAfee, Hawthorne and Diebenow, PLLC
1 Independent Drive, Suite 1200
Jacksonville, FL 32202

Owners: Anthony Grissett
2402 Perkins Road
Arlington, TX 76016

Choice Plus, LLC
855 South Alder Street, Unit B
Burlington, WA 98233

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance **2024-0909** seeks to rezone approximately 8.95± acres of land from Residential Rural-Acre (RR-Acre) to Residential Medium Density-D (RMD-D). The applicant seeks to rezone the property in order to develop it with multi-family dwellings, including townhomes on the currently vacant land. The property is currently 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. There is a companion Land Use Amendment, **2024-0908 (L-5984-24C)**. The proposed LUA is for a small-scale land-use amendment from Low Density Residential (LDR) to Medium Density Residential (MDR).

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 subject site is 8.95 acres and is located within the Urban Development Area along the west side of Cargal Street, a local roadway, which is connected to Southside Boulevard, a FDOT principal arterial road. The applicant is proposing a rezoning from Residential Rural-Acre (RR-Acre) to Residential Medium Density-D (RMD-D) to allow for multi-family dwelling units. The applicant has also proposed a companion land use amendment from Low Density Residential (LDR) to Medium Density Residential (MDR), which is pending concurrently with this application, pursuant to 2024-0908 (L-5984-24C).

Medium Density Residential (MDR) is a category intended to provide compact medium to high density residential development and can serve as transitional uses between low density residential uses and higher density residential uses, commercial uses and public and semi-public use areas. Multi-family housing such as apartments, condominiums, townhomes and rowhouses should be the predominant development typologies in this category. Plan amendment requests for new MDR designations are preferred in locations which are supplied with full urban services and in locations which serve as a transition between commercial and residential land uses. The maximum gross density in the Urban Area shall be 20 units/acre and the minimum gross density shall be greater than 7 units/acre. In the absence of the availability of centralized potable water and/or wastewater, the maximum

gross density of development permitted in this category shall be the same as allowed in Low Density Residential (LDR) without such services.

RMD-D is a primary zoning district of the MDR land use category and therefore the proposed rezoning is consistent with the 2045 Comprehensive Plan.

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

This proposed rezoning is consistent with the 2045 Comprehensive Plan, and furthers the following goals, objectives and policies contained herein, including:

Future Land Use Element

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.

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.

Policy 3.1.5

The City shall provide opportunities for development of a wide variety of housing types by area, consistent with the housing needs characteristics and socioeconomic profiles of the City's households as described in the Housing Element.

Policy 3.1.12

The City shall, through Land Development Regulations, require higher density residential development and supporting commercial facilities to locate on major arterial or collector roads used for mass transit routes, and in proximity to major employment areas in order to ensure the efficient use of land, public facilities, and services, and transportation corridors.

Archaeological Sensitivity

According to the Duval County Archaeological Predictive Model, the subject property is located within an area of low and high sensitivity for the presence of archaeological resources. Projects that move forward through the Site Review process may be required to perform a Professional Archaeological Reconnaissance Survey on the portion of the site that is in a high sensitivity area. If archaeological resources are found during future development/redevelopment of the site, Section 654.122 of the Code of Subdivision Regulations should be followed.

Wetlands

Review of City data and the applicant's site plan indicates the potential existence of wetlands on the subject site and as such, a wetlands survey has been provided by the City's GIS analysis 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: 1.04 acres.

General Location(s): The wetlands are located within the center and eastern portion of the application site and buffers an Unnamed Creek that drains north and northwest into Pottsburg Creek.

Quality/Functional Value: The wetland has a high functional value for water filtration attenuation and flood water capacity and has a direct impact on the City's waterways.

Soil Types/
Characteristics: (22) Evergreen-Wesconnett complex – The Evergreen and Wesconnett series consists of nearly level, very poorly drained, soils. The Evergreen soils formed in decomposed organic materials underlain by thick sandy marine sediments while the Wesconnett soils formed in thick sandy marine sediments. Both soils are located in depressions and are moderately permeable and moderately slowly permeable. The high water table is at or above the soil surface for very long periods.

Wetland Category: Category II

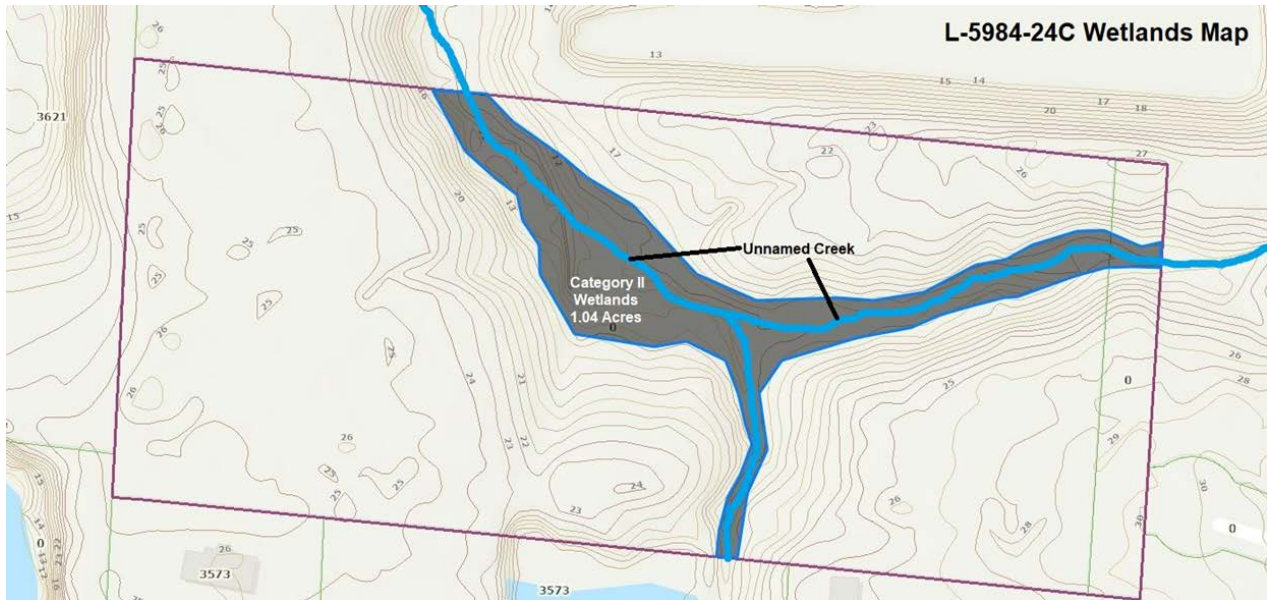
Consistency of Permitted Uses: Category II Wetlands: Uses permitted subject to the limitations of CCME Policy 4.1.6 shown below – conservation uses permitted.

Environmental Resource Permit (ERP): Not provided by the applicant and none exists according to the St. Johns River Water Management District web site.

Wetlands Impact: None proposed at this time.

Associated Impacts: None

Relevant Policies: CCME Policies 4.1.3 and 4.1.5



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 RR-Acre to RMD-D in order to develop the property with multi-family dwelling units, including townhomes.

SURROUNDING LAND USE AND ZONING

The subject site is located west of Southside Boulevard. The northwest side of Southside Boulevard is primarily zoned for commercial uses with a mix of medium density residential uses. With the neighboring apartments to the south, 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.

The adjacent land use categories and zoning districts are as follows:

Adjacent Property	Land Use Category	Zoning District	Current Use
North	CSV/CGC	PUD (2001-1235)	Retail Store
South	LDR/MDR	RR-Acre/PBF-1	Single Family Dwellings/ Affordable Housing
East	LDR	PUD	Vacant
West	LDR	RR-Acre	Single Family Dwellings

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on **December 4, 2024**, by the Planning and Development Department, the required Notice of Public Hearing sign **was not** posted. The applicant subsequently posted the sign and sent the following photo as evidence:



RECOMMENDATION

Based on the foregoing, it is the recommendation of the Planning and Development Department that Application for Rezoning Ordinance **2024-0909** be **APPROVED**.



View of Subject Property



View of Subject Property



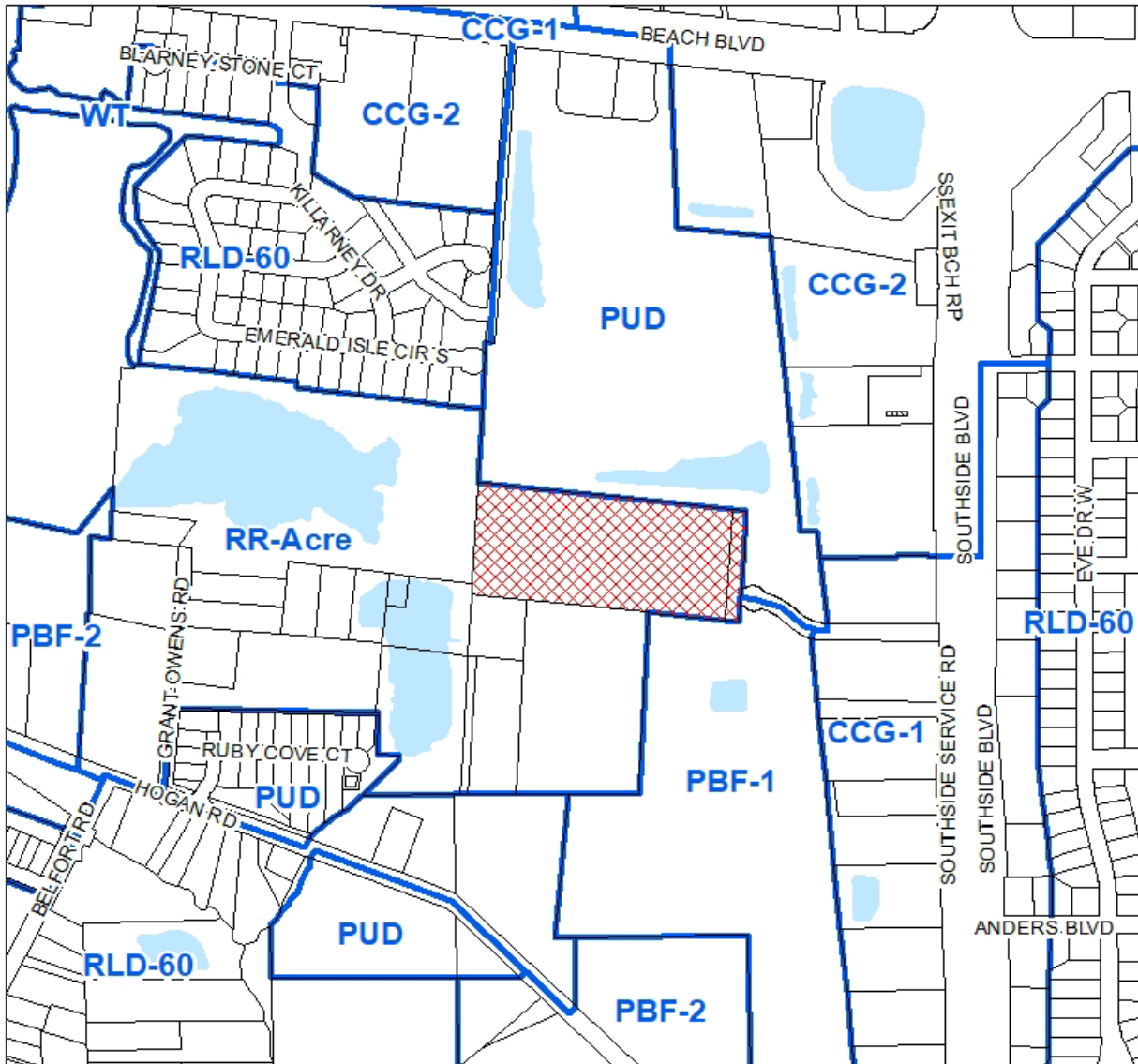
View of Adjacent Property



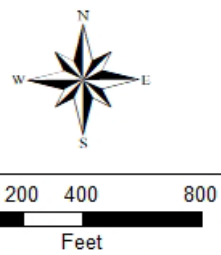
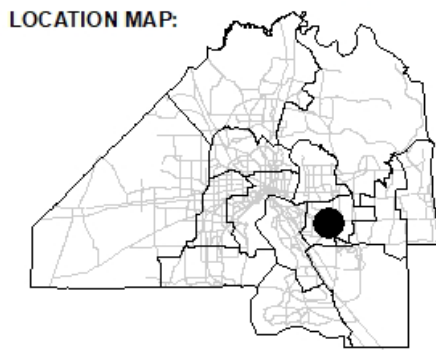
View of Property Opposite of Subject Site



Aerial View of Subject Site



REQUEST SOUGHT:
FROM: RR-ACRE
TO: RMD-D



COUNCIL DISTRICT:
4

TRACKING NUMBER
T-2024-5876

EXHIBIT 2
PAGE 1 OF 1

Legal Map