

City of Jacksonville, Florida

Lenny Curry, Mayor

City Hall at St. James
117 W. Duval St.
Jacksonville, FL 32202
(904) 630-CITY
www.coj.net

March 4, 2021

The Honorable Tommy Hazouri, President
The Honorable Michael Boylan, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2021-72**

Dear Honorable Council President Hazouri, Honorable Council Member and LUZ Chairperson Boylan 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**

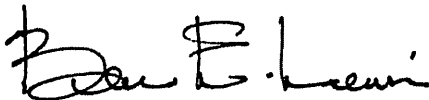
Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote: 6-0

| | |
|-------------------------|--------|
| Joshua Garrison, Chair | Aye |
| Dawn Motes, Vice Chair | Absent |
| David Hacker, Secretary | Aye |
| Marshall Adkison | Aye |
| Daniel Blanchard | Aye |
| Ian Brown | Absent |
| Alex Moldovan | Aye |
| Jason Porter | Aye |

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

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 2021-0072****MARCH 4, 2021**

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 2020-0072.

Location: 4043 Lenox Avenue; Between Luray Street and
Druid Street

Real Estate Number: Portion of 058903-0010

Current Zoning District: Residential Low Density-60 (RLD-60)

Proposed Zoning District: Industrial Light (IL)

Current Land Use Category: Industrial Light (LI)

Planning District: District 5—Northwest

Applicant/Owner: James D. Childs
AllState Septic, LLC
4043 Lenox Avenue
Jacksonville, Florida 32254

Staff Recommendation: **APPROVE**

GENERAL INFORMATION

Application for Rezoning Ordinance 2021-0072 seeks to rezone 0.36± acres of land from Residential Low Density-60 (RLD-60) to Industrial Light (IL). The request is being sought in order to unify the zoning for the existing business operation and bring all current uses into compliance with the property's Light Industrial (LI) 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 2030 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 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 2030 Comprehensive Plan?*

Yes. In accordance with Section 656.129 Advisory recommendation on amendment of Zoning Code or rezoning of land of the Zoning Code, the Planning and Development Department finds the subject property to be located in the Light Industrial (LI) functional land use category according to the Future Land Use Map series (FLUMs) adopted as part of the 2030 Comprehensive Plan.

2. *Does the proposed rezoning further the goals, objectives and policies of the 2030 Comprehensive Plan?*

Yes. The proposed rezoning is consistent with the listed objectives, policies and goals of the Future Land Use Element (FLUE) of the 2030 Comprehensive Plan. Light Industrial (LI) is a category which provides for the location of industrial uses which have fewer objectionable impacts than Heavy Industrial (HI) on residential areas such as noise, odor, toxic chemicals and wastes. Principal uses in the LI land use category include but are not limited to Light assembly and manufacturing, packaging, processing, manufacturing of paints, enamels and allied products, concrete batching plants and business/professional offices.

The subject site is located the boundaries of the Lackawanna Neighborhood Study as well as the 500-foot Height and Hazard Zone for Herlong Recreational Airport. For more information, please see the attached Community Planning Memo.

To ensure compliance with the provisions of the Comprehensive Plan, the proposed zoning application will be reviewed in relation to the following goals, objectives, polices or text of the 2030 Comprehensive Plan:

Future Land Use Element

Objective 6.3

The City shall accommodate growth in Jacksonville by encouraging and facilitating new 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.

The proposed rezoning to IL would bring the subject site into compliance and allow for the applicant to enjoy the maximum benefit of their land without interfering with the rights of adjacent residential owners.

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 RLD-60 to IL in order to bring the land use into compliance and to unify the zoning districts on the property.

SURROUNDING LAND USE AND ZONING

The subject property is located on the south side of Edison between Luray Street and Druid Street. According to the City's Highway Classification Map, both Luray Street and Druid Street are local roads but both have access to Lenox Avenue, a collector road. The proposed rezoning to IL would bring the applicant's land uses into compliance and unify the zoning on the property. Nonetheless, adjacent land uses and zoning districts are as follows:

| Adjacent Property | Land Use Category | Zoning District | Current Use(s) |
|--------------------------|--------------------------|------------------------|---------------------------|
| North | LDR | RLD-60 | Single-Family Dwellings |
| East | LDR | RLD-60 | Church |
| South | LI | IL | Warehouse/Outside Storage |
| West | LI | RLD-60 | Warehouse/Outside Storage |

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

SUPPLEMENTARY INFORMATION

Upon visual inspection of the subject property on February 25, 2021 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 2021-0072 be **APPROVED**.

Figure A:



Source: Planning & Development Dept, 01/14/21

Aerial view of the subject site and parcel, facing north.

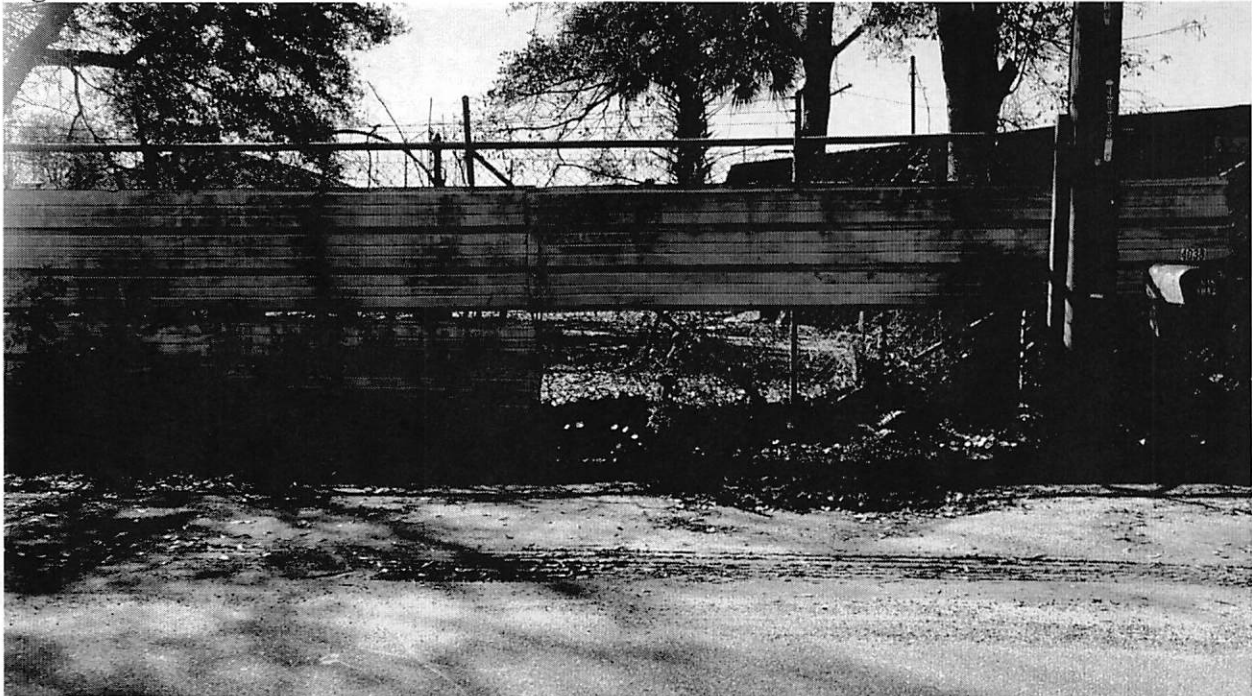
Figure B:



Source: Planning & Development Dept, 02/25/21

View of the subject property, facing south along Edison Avenue.

Figure C:



Source: Planning & Development Dept, 02/25/21

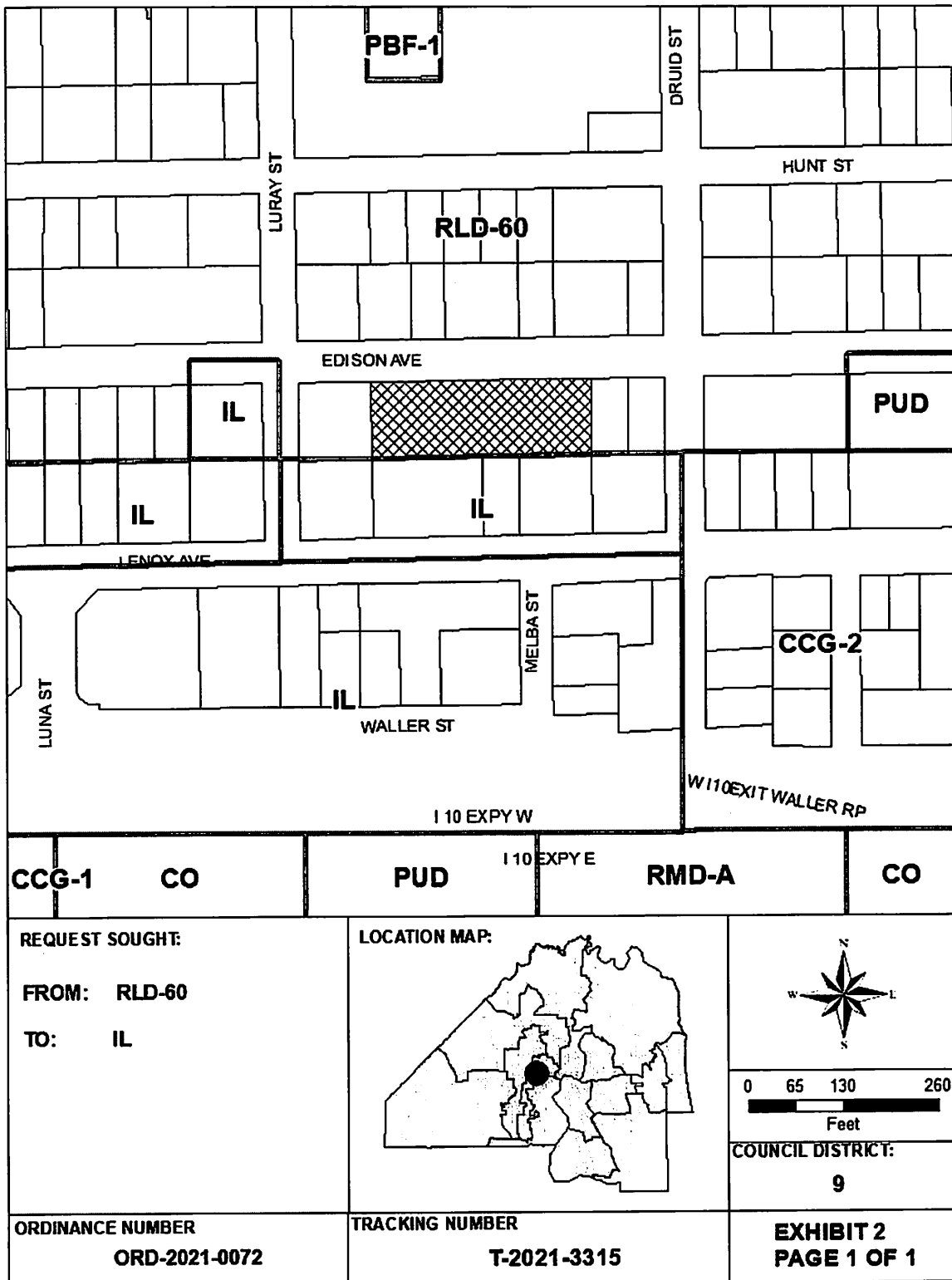
View of the subject property, facing south along Edison Avenue.

Figure D:



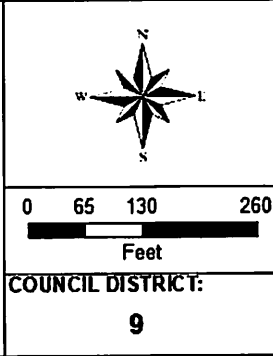
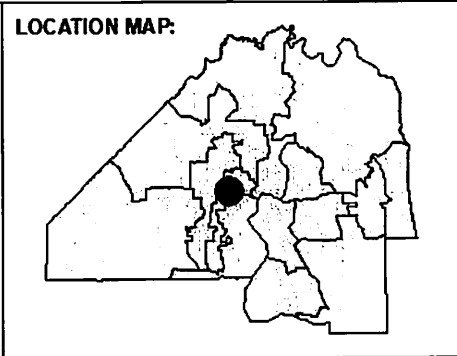
Source: Planning & Development Dept, 02/25/21

View of the applicant's existing business, AllState Septic, Inc., facing north.



| | | | | | |
|-------|----|-----|-------------|-------|----|
| CCG-1 | CO | PUD | I 10 EXPY E | RMD-A | CO |
|-------|----|-----|-------------|-------|----|

REQUEST SOUGHT:
 FROM: RLD-60
 TO: IL



ORDINANCE NUMBER
 ORD-2021-0072

TRACKING NUMBER
 T-2021-3315

EXHIBIT 2
 PAGE 1 OF 1

Application For Rezoning To Conventional Zoning District

Planning and Development Department Info

Ordinance # 2021-0072 Staff Sign-Off/Date ATW / 01/21/2021

Filing Date 02/03/2021 Number of Signs to Post 2

Hearing Dates:

1st City Council 03/09/2021 Planning Commission 03/04/2021

Land Use & Zoning 03/16/2021 2nd City Council N/A

Neighborhood Association N/A

Neighborhood Action Plan/Corridor Study LACKAWANNA NEIGHBORHOOD PLAN 1980

Application Info

Tracking # 3315

Application Status FILED COMPLETE

Date Started 01/07/2021

Date Submitted 01/07/2021

General Information On Applicant

| Last Name | First Name | Middle Name |
|-----------|------------|-------------|
| CHILDS | JAMES | D |

Company Name
ALL STATE SEPTIC

Mailing Address
4043 LENOX AVE

| City | State | Zip Code |
|--------------|-------|----------|
| JACKSONVILLE | FL | 32254 |

| Phone | Fax | Email |
|------------|-----|--------------------------|
| 9046242558 | 904 | ALLSTATESEPTIC@GMAIL.COM |

General Information On Owner(s)

Check to fill first Owner with Applicant Info

| Last Name | First Name | Middle Name |
|-----------|------------|-------------|
| CHILDS | JAMES | D |

Company/Trust Name
ALL STATE SEPTIC

Mailing Address
4043 LENOX AVE

| City | State | Zip Code |
|--------------|-------|----------|
| JACKSONVILLE | FL | 32254 |

| Phone | Fax | Email |
|------------|-----|--------------------------|
| 9046242558 | 904 | ALLSTATESEPTIC@GMAIL.COM |

Property Information

Previous Zoning Application Filed For Site?

If Yes, State Application No(s)

| Map | RE# | Council District | Planning District | From Zoning District(s) | To Zoning District |
|-----|-------------|------------------|-------------------|-------------------------|--------------------|
| Map | 058903 0010 | 9 | 5 | RLD-60 | IL |

Ensure that RE# is a 10 digit number with a space (##### #)

Existing Land Use Category

LI

Land Use Category Proposed?

If Yes, State Land Use Application #

Total Land Area (Nearest 1/100th of an Acre) 0.36

Justification For Rezoning Application

FRONT HALF OF PROPERTY IS LI AND BACK HALF IS RLD-60 WOULD LIKE THAT REZONED AS LI

Location Of Property

General Location

4043 LENOX AVE

| House # | Street Name, Type and Direction | Zip Code |
|---------|---------------------------------|----------|
| 4043 | LENOX AVE | 32254 |

Between Streets

LURAY STREET and DRUID STREET

Required Attachments For Formal, Complete application

The following items must be attached to each application in the order prescribed below. All pages of the application must be on 8½" X 11" paper with provision for page numbering by the staff as prescribed in the application instructions manual. Please check each item below for inclusion of information required.

Exhibit 1 A very clear, accurate and legible legal description of the property on the form provided with application package (Exhibit 1). The legal description (which may be either lot and block or metes and bounds) should not be a faint or distorted copy that is difficult to read or duplicate.

Exhibit A Property Ownership Affidavit – Notarized Letter(s).

Exhibit B Agent Authorization - Notarized letter(s) designating the agent.

Supplemental Information

Supplemental Information items are submitted separately and not part of the formal application

One copy of the Deeds to indicate proof of property ownership.

Public Hearings And Posting Of Signs

No application will be accepted until all the requested information has been supplied and the required fee has been paid. Acceptance of a completed application does not guarantee its approval by the City Council. The applicant will be notified of public hearing dates on this application upon the filing of the application. The applicant or authorized agent MUST BE PRESENT at the public hearings. The required SIGN(S) must be POSTED on the property BY THE APPLICANT within 5 days after the filing of an application. The sign(s) may be removed only after final action of the Council and must be removed within 10 days of such action.

The applicant must also pay for the required public notice stating the nature of the proposed request which is required to be published in an approved newspaper AT LEAST 14 DAYS IN ADVANCE OF THE PUBLIC HEARING. (The Daily Record - 10 North Newnan Street, Jacksonville, FL 32202 • (904) 356-2466 • Fax (904) 353-2628) Advertising costs are payable by the applicant directly to the newspaper and the applicant must furnish PROOF OF PUBLICATION to the Planning and Development Department, 214 North Hogan Street, Ed Ball Building, Suite 300, Jacksonville, Florida, 32202, prior to the public hearing.

Application Certification

I, hereby, certify that I am the owner or the authorized agent of the owner(s) of the property described herein, that all answers to the questions in this application and all information contained in the material attached to and made a part of this application, are accurate and true to the best of my knowledge and belief. I also attest by my signature that all required information for this rezoning application is completed and duly attached in the prescribed order. Furthermore, if the package is found to be lacking the above requirements, I understand that the application will be returned for correct information.

Agreed to and submitted

Filing Fee Information

1) Rezoning Application's General Base Fee: \$2,000.00

2) Plus Cost Per Acre or Portion Thereof

0.36 Acres @ \$10.00 /acre: \$10.00

3) Plus Notification Costs Per Addressee

Notifications @ \$7.00 /each:

4) Total Rezoning Application Cost:

NOTE: Advertising Costs To Be Billed to Owner/Agent

EXHIBIT 1

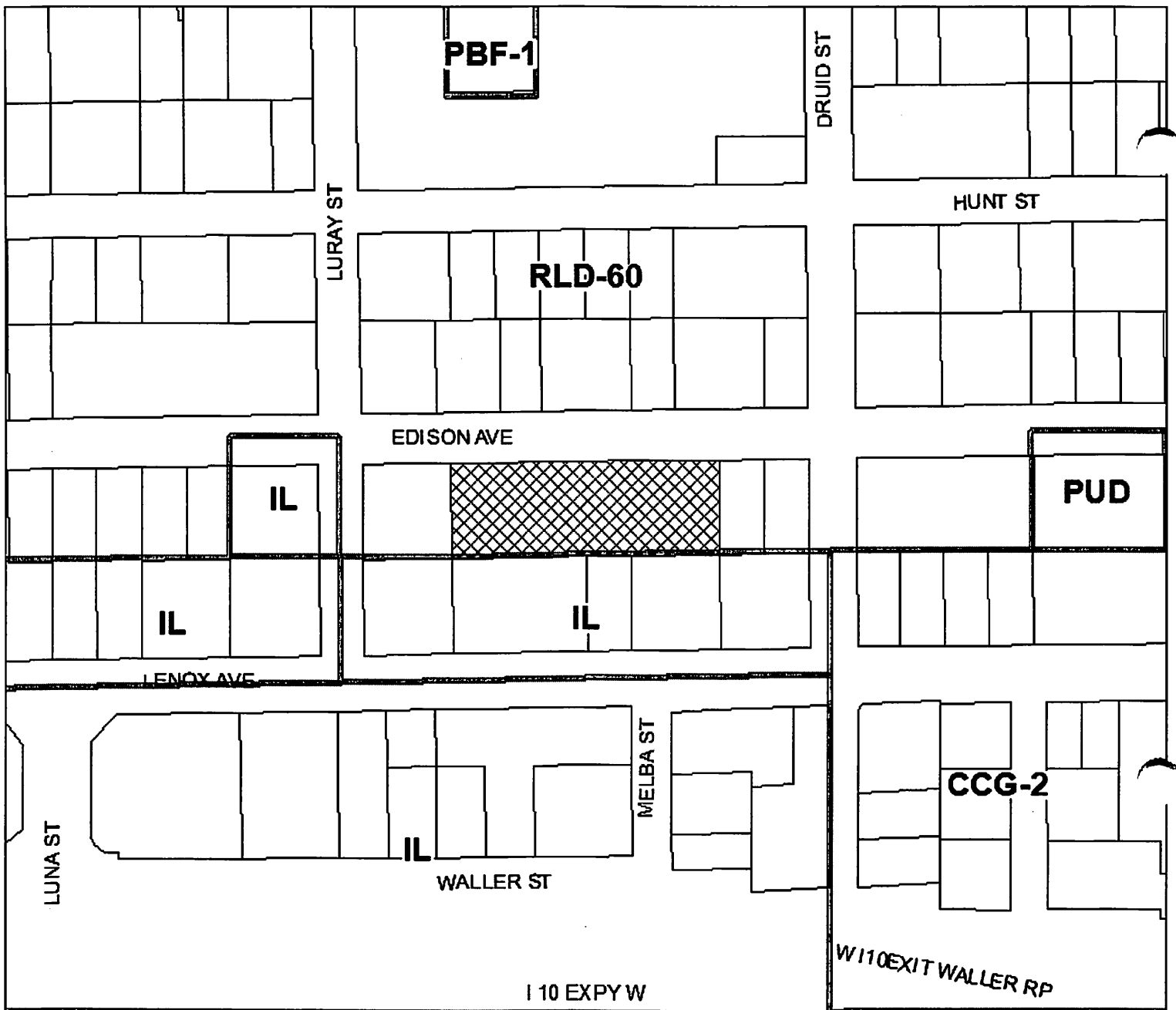
Legal Description

PARCEL ID NUMBER: 058903-0010

**LOT 3, 4, 5, 6, 7, and 8, Block 40, REPLATE OF THE W.R. THOMPSON
SUBDIVISION, according to Plat thereof, as recorded in Plat Book 3, Page 46, of
the public records of Duval County, Florida**

January 11, 2021

**Exhibit 1
Page 1 of 1**

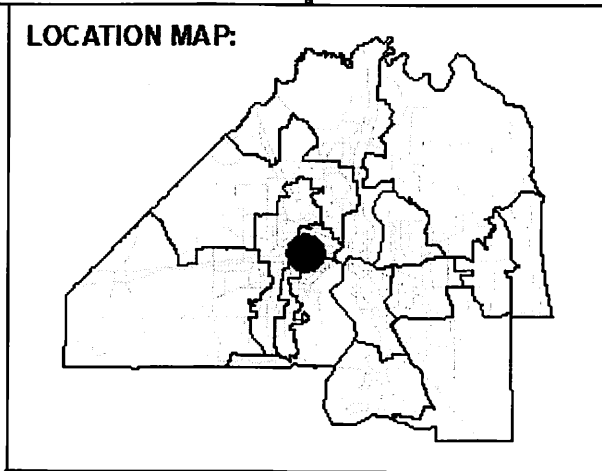


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|--------------|-----------|------------|--------------|-----------|
| CCG-1 | CO | PUD | RMD-A | CO |
|--------------|-----------|------------|--------------|-----------|

REQUEST SOUGHT:

FROM: RLD-60

TO: IL



0 65 130 260
Feet

COUNCIL DISTRICT:

9

TRACKING NUMBER

T-2021-3315